



LEGISLATIVE REVIEW SUMMARY

FALL 2021 | 30TH LEGISLATURE, THIRD SESSION

Alberta **LAW**
FOUNDATION



THE CANADIAN
BAR ASSOCIATION
Alberta Branch

LEGISLATIVE REVIEW SUMMARY

FALL 2021 | 30TH LEGISLATURE, THIRD SESSION

HIGHLIGHTS

The 2021 Fall seating of the Legislature resulted in the passage of the following Acts:

1. *Advanced Education Statutes Amendment Act*, SA 2021 c17
2. *Alberta Housing Amendment Act*, SA 2021 c23
3. *Arts Professions Recognition Act*, SA 2021, c A-44.2
4. *Business Corporations Amendment Act*, SA 2021 c18
5. *Captive Insurance Companies Act*, SA 2021, c A-44.2
6. *Education Statutes (Students First) Amendment Act*, SA 2021 c19
7. *Election Statutes Amendment Act*, SA 2021 c24
8. *Electoral Divisions (Calgary-Bhullar-McCall) Amendment Act*, SA 2021 c20
9. *Environmental Protection and Enhancement Amendment Act*, SA 2021 c21
10. *Infrastructure Accountability Act*, SA 2021 cL-1.6
11. *Labour Mobility Act*, SA 2021 cL-0.7
12. *Mineral Resource Development Act*, SA 2021 cM-16.8
13. *Municipal Government (Restoring Tax Accountability) Amendment Act*, SA 2021 c22
14. *Red Tape Reduction Implementation Act*, SA 2021 c25
15. *Trails Act*, SA 2021 cT-6.2

AMENDED LEGISLATION:

- *Alberta Health Care Insurance Act*, RSA 2000, c A-20
- *Alberta Housing Act*, RSA 2000, c A-25
- *Alberta Human Rights Act*, RSA 2000, c A-25.5
- *Alberta Personal Income Tax Act*, RSA 2000, c A-30
- *Alberta Senate Election Act*, SA 2019, c A-33.5
- *Alberta Utilities Commission Act*, SA 2007, c A-37.1
- *Business Corporations Act*, RSA 2000, c B-9
- *Citizen Initiative Act*, SA 2021, c C-13.2
- *College of Alberta School Superintendents Act*, SA 2021, c C-18.8
- *Companies Act*, RSA 2000, c C-21
- *Cooperatives Act*, RSA 2001, c C-28.1
- *Credit Union Act*, RSA 2000, c C-32
- *Education Act*, SA 2012, c E-0.3
- *Election Act*, RSA 2000, c E-1
- *Election Finances and Contributions Disclosure Act*, RSA 2000, c E-2
- *Electoral Divisions Act*, SA 2017, c E-4.3
- *Electric Utilities Act*, SA 2003, c E-5.1f
- *Ensuring Fiscal Sustainability Act*, 2019, c 18

- *Environmental Protection and Enhancement Act*, RSA 2000, c E-12
- *Fair Registration Practices Act*, SA 2019, c F-1.5
- *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1
- *Geothermal Resource Development Act*, SA 2020, c G-5.5
- *Health Information Act*, RSA 2000, c H-5
- *Health Insurance Premiums Act*, RSA 2000 cH-6
- *Human Tissue and Organ Donation Act*, SA 2006, c H-14.5
- *Hydro and Electric Energy Act*, RSA 2000, c H-16
- *Income and Employment Supports Act*, SA 2003, c I-0.5
- *Insurance Act*, RSA 2000, c I-3
- *Labour Mobility Act*, SA 2021 cL-0.7
- *Legislative Assembly Act*, RSA 2000, c L-9
- *Loan and Trust Corporations Act*, RSA 2000, c L-20
- *Local Authorities Election Act*, RSA 2000, c L-21
- *Mines and Minerals Act*, RSA 2000, c M-17
- *Municipal Government Act*, RSA 2000, c M-26
- *Natural Resources Conservation Board Act*, RSA 2000, c N-3
- *Oil and Gas Conservation Act*, RSA 2000, c O-6
- *Pipeline Act*, RSA 2000, c P-15
- *Post-Secondary Learning Act*, SA 2003, c P-19.5
- *Public Lands Act*, RSA 2000, c P-40
- *Public Service Act*, RSA 2000, c P-42
- *Recall Act*, SA 2021, c R-5.7
- *Responsible Energy Development Act*, SA 2012, c R-17.3
- *Seniors Benefit Act*, RSA 2000, c S-7
- *Skilled Trades and Apprenticeship Education Act*, SA 2021, c S-7.88
- *Societies Act*, RSA 2000, c S-14
- *Teaching Profession Act*, RSA 2000, c T-2
- *Travel Alberta Act*, SA 2008 cT-6.5
- *Unclaimed Personal Property and Vested Property Act*, SA 2007, c U-1.5



REPEALED LEGISLATION:

- *Health Insurance Premiums Act*, RSA 2000, c H-6

DETAILED LISTING OF BILLS

Bill 49 — *Labour Mobility Act*

- Amended:**
- *Fair Registration Practices Act*, SA 2019, c F-1.5
 - *Labour Mobility Act*, SA 2021 cL-0.7

Summary: The *Labour Mobility Act* sets out labour mobility registration practices for regulatory bodies (including persons) listed in Schedules 1 and 2 of the Act. The Act ensures consistency, transparency, objectivity, impartiality and procedural fairness regarding the credentials, training and treatment of out-of-province certified workers in line with domestic trade and intergovernmental agreements.

The Métis Settlement General Council is not a Provincial corporation under the *Financial Administration Act* or the *Auditor General Act*.

Amongst other requirements, regulatory bodies must acknowledge receipt of the application of a labour mobility applicant for registration within 10 business days of receiving the application. They must also make decisions on the application within 20 business days of the receipt of a complete application. The regulatory body then has a further 10 days after making a decision to provide a written decision to the applicant, as well as the reasons for the decision. The regulatory body must simultaneously provide the applicant with a notification of their rights to any internal review or appeal procedures and deadlines.

Regulatory bodies have a duty to make information publicly available and must maintain a record of any decisions made for three years thereafter.

In the event of non-compliance with the Act, the Minister must first serve the regulatory body with written notice which includes information about the nature of a proposed compliance order, the steps that the regulatory body must take to comply with the proposed compliance order, the right of the regulatory body to make a written submission to the Minister in respect of the proposed compliance order, and the time period within which a written submission must be made. The regulatory body may make written submissions in respect of a proposed compliance order within 30 days after the notice is served on the regulatory body or within any longer period specified in the notice.

The Minister may subsequently issue an order to a regulatory body requiring compliance with the Act or the regulations.

A regulatory body may apply to the Court of Queen's Bench for judicial review of a compliance order. The Application may be made no later than 30 days from the day that the compliance order is served on the regulatory body. If an application for judicial review is made, the Court may stay the compliance order until the Court makes a decision on the application.

The Act makes some consequential amendments to the *Fair Registration Practices Act*.

In Force: On proclamation, except SA 2021 cL-0.7 section 27, which comes into force on December 2, 2021.

Bill 73 — *Infrastructure Accountability Act*

Summary: The *Infrastructure Accountability Act* establishes a Deputy Minister's Capital Committee which will provide timely and accurate information, recommendations and advice to departments and the Treasury Board regarding the capital plan.

The Minister must prepare and publish a 20-year strategic capital plan by December 8, 2022 and at least once every 4 years thereafter. The 20-year strategic capital plan must outline the government's long-term vision for meeting the infrastructure needs of Albertans over the next two decades and must provide strategic long-term capital planning through an analysis of long-term economic, demographic and other trends.

The Act requires the responsible Minister to consider the following factors when determining whether a particular project or program is to be recommended to the Treasury Board:

1. Whether it is expected to decrease risks to the health and safety or security of Albertans or increase compliance with health and safety and other applicable legislation;
2. The extent to which it aligns with the government's strategic objectives and priorities;
3. The extent to which it is expected to result in positive economic impacts, including job creation and economic development and activity;
4. The extent to which it is expected to result in the improved delivery of programs and services;
5. The full life-cycle cost of the project or program and whether it will generate a return on investment; and
6. The extent to which the project or program is expected to enhance the resiliency of a community.

In Force: December 8, 2021.

Bill 74 — *Advanced Education Statutes Amendment Act, 2021*

Amended:

- *Post-Secondary Learning Act*, SA 2003, c P-19.5
- *Skilled Trades and Apprenticeship Education Act*, SA 2021, c S-7.88

Summary: The *Advanced Education Statutes Amendment Act* amends the *Post-Secondary Learning Act* and the *Skilled Trades and Apprenticeship Education Act*.

"Independent academic institutions" are identified as any of Ambrose University, Burman University, Concordia University of Edmonton, The King's University and St. Mary's University.

The Act makes consequential changes to the definitions in the *Skilled Trades and Apprenticeship Education Act*.

The Act changed terms of members of the Board to a limit of six consecutive years of service rather than the previous limit of two consecutive terms of up to three years.

The Act also establishes the Minister's Advisory Council on Higher Education and Skills which Council will provide recommendations to the Minister respecting amongst other things, the strategic goals and direction of post-secondary education and metrics for measuring the performance of public post-secondary institutions and independent academic institutions. The membership of the Advisory Council is capped at nine and the members will not receive remuneration in their capacities on the Advisory Board.

In Force: December 2, 2021, except section 1, which comes into force on proclamation.

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Bill 75 — Arts Professions Recognition Act

Summary: The *Arts Professions Recognition Act* acknowledges professional artists as independent contractors. To be a professional artist, one must meet three of the following criteria:

- The artist has received public or peer recognition;
- The artist promotes or markets their work;
- The artist's work has been presented to the public by means of exhibitions, publications, performances, readings, screenings or other means;
- the artist has received training or acquired traditional knowledge;
- the artist has membership in an artists' association or in an organization representing the artist's artistic field whose membership or categories of membership is or are limited under standards established by the organization; and
- the artist holds copyright in the artist's work and has received royalty or residual payments based on that copyright.

Subject to the regulations, a public entity is not allowed to contract with or retain the services of a professional artist to produce an artistic work or product, present an artistic work or production to the public, or engage in an enterprise that circulates or disseminates artistic works to the public without having entered into a written contract with that professional artist.

In Force: December 2, 2021.

Bill 76 — Captive Insurance Companies Act

Summary: The *Captive Insurance Companies Act* authorizes certain types of captive insurance companies incorporated in Alberta to insure certain risks.

The Act outlines the rules necessary for forming, operating and dissolving a captive insurer in Alberta.

The Act allows Alberta-licensed captive insurance companies to insure risks of a single entity, members of an association or a knowledgeable client with complex insurance needs.

Amongst other things, a pure captive insurance company is authorized to insure the risks of its parent and affiliated entities, their respective officers, directors, employees, agents and independent contractors, and other persons prescribed by regulations.

An association captive insurance company is authorized to insure risks of its association, the member organizations of its association and their affiliated entities, the officers, directors, employees, agents, and independent contractors of the captive insurance company, the association, member organizations of the association and other persons prescribed by regulations.

A sophisticated insured captive insurance company is authorized to insure the risks of the sophisticated insureds that comprise its sophisticated insured group and their affiliated entities, their respective officers, directors, employees, agents and independent contractors and other persons prescribed by regulations. A sophisticated insured is one which, in the opinion of the Alberta Superintendent of Insurance, has expertise in insurance matters, and whose aggregate annual premiums total at least an amount to be set out in the regulations.

Another type of captive insurance company authorized by the regulations is authorized to insure persons prescribed by regulations.

Captive insurance companies must be physically located in Alberta.

In Force: On proclamation

Bill 77 — *Municipal Government (Restoring Tax Accountability) Amendment Act, 2021*

Amended: • *Municipal Government Act, RSA 2000, c M-26*

Summary: The *Municipal Government (Restoring Tax Accountability) Amendment Act* amends the *Municipal Government Act*. Amongst other amendments, the Act restores a special priority lien which gives municipalities priority on linear property or the machinery and equipment over other creditors except the Crown.

The Act also assigns liability for unpaid property taxes to the owner of the property and the operator. The Act applies to all of the debtor's property.

The period for payment of taxes on linear property or machinery and equipment is now 120 days from the sending of the tax notice by the municipality.

Residents of the municipality are liable to pay the taxes on other property within 14 days from the sending of the tax notice by the municipality. Non-residents have 30 days.

In Force: On proclamation

Bill 78 — *Alberta Housing Amendment Act*

Amended: • *Alberta Housing Act, RSA 2000, c A-25*

Summary: The *Alberta Housing Amendment Act* amongst other things, appears to give more latitude to the Minister. The Act authorizes the Minister and the Alberta Social Housing Corporation ("the Corporation") to enter into agreements, including agreements with the government of another jurisdiction or any person, society or partnership.

The Act authorizes the Corporation to purchase shares and enter into a joint venture or partnership.

The Act authorizes the Minister to designate housing or lodge accommodation as "affordable housing accommodation" to be a housing accommodation designated as an affordable housing. The Minister may not designate social housing accommodation (defined in the Social Housing Accommodation Regulation AR 244/1994) as affordable housing accommodation.

In Force: On proclamation

Bill 79 — *The Trails Act*

Amended: • *Public Lands Act, RSA 2000, c P-40*

Summary: The *Trails Act* authorizes the Minister to:

- designate trails which are all resources of the Crown;
- establish trail management plans;
- appoint trail managers; and
- enter into an agreement with any person for the operation, management, construction, development or maintenance of a designated trail.

In Force: On proclamation

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Bill 80 — *Red Tape Reduction Implementation Act, 2021 (No. 2)*

- Amended:**
- *Alberta Health Care Insurance Act*, RSA 2000, c A-20
 - *Alberta Human Rights Act*, RSA 2000, c A-25.5
 - *Credit Union Act*, RSA 2000, c C-32
 - *Education Act*, SA 2012, c E-0.3
 - *Ensuring Fiscal Sustainability Act*, 2019, c 18
 - *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1
 - *Health Information Act*, RSA 2000, c H-5
 - *Health Insurance Premiums Act*, RSA 2000 cH-6
 - *Human Tissue and Organ Donation Act*, SA 2006, c H-14.5
 - *Income and Employment Supports Act*, SA 2003, c I-0.5
 - *Insurance Act*, RSA 2000, c I-3
 - *Loan and Trust Corporations Act*, RSA 2000, c L-20
 - *Mines and Minerals Act*, RSA 2000, c M-17
 - *Public Service Act*, RSA 2000, c P-42
 - *Seniors Benefit Act*, RSA 2000, c S-7

- Repealed:**
- *Health Insurance Premiums Act*, RSA 2000, c H-6

Summary: The *Red Tape Reduction Implementation Act* updates 15 legislations and repealed the *Health Insurance Premiums Act*.

Amongst other, the Act makes the following amendments:

- *Alberta Health Care Insurance Act*: The Act consolidates Alberta Health Care Insurance Plan rules including those relating to health insurance premiums.
- *Alberta Human Rights Act*: Amongst other things, service of documents on the Human Rights Commission is now permitted by electronic means. Proceedings are also authorized to occur solely by electronic means or by a combination of in-person and electronic proceedings.
- *Credit Union Act*: The Minister may delegate in writing any power, duty or function imposed on the Minister, other than the power to make regulations, to an employee under the Minister's administration or any member, officer or employee of an agent of the Crown in right of Alberta or to the Credit Union Deposit Guarantee Corporation.
- *Gaming, Liquor and Cannabis Amendment Act*: The Act enables municipalities to create entertainment districts where adults may consume alcohol.

The Act allows home-made beer, wine and cider to be served at private non-sale special events, or at events where the liquor is being judged in a competition authorized by a special event licence.

The Act allows licensed cannabis retailers to sell cannabis on the online market.

- *Health Information Act*: The Act makes consequential amendments to the *Health Information Act* necessitated by the repeal of the *Health Insurance Premiums Act*.
- *Human Tissue and Organ Donation Act*: The Act makes consequential amendments to the *Human Tissue and Organ Donation Act* necessitated by the repeal of the *Health Insurance Premiums Act*.
- *Income and Employment Supports Act*: Amongst other provisions, the Act mandates that adult learners applying for financial assistance for programs starting April 1, 2022 or later must be assessed under the *Student Financial Assistance Act*.

- *Insurance Act:* The Act delegates authority to an Accreditation Committee to set fees for examinations, licensing, and continuing education courses and providers.

No fees may be established or changed without the Minister’s prior approval.

- *Loan and Trust Corporations Act:* There is a time limit for the registration or reinstatement of a provincial loan and trust corporation which is incorporated but unregistered within one year after the date of its letters patent or letters patent of continuance. The time limit also applies to a corporation which does not have its registration reinstated within one year of having its registration suspended, or does not become registered or have its registration reinstated within any further period allowable by the Minister. The directors must ensure that the corporation immediately takes all reasonable steps toward its dissolution, and the corporation must not carry on any business or activity except for the sole purpose of dissolving the corporation.

A corporation whose registration has been suspended under the Act may have its registration revoked by the Minister, or may have its registration reinstated by the Minister if the corporation provides information satisfactory to the Minister to adequately address the issues that initially caused the suspension.

The Minister may delegate in writing any power, duty or function imposed on the Minister, other than the power to make regulations, to an employee under the Minister’s administration or any member, officer or employee of an agent of the Crown in right of Alberta or to the Credit Union Deposit Guarantee Corporation.

- *Mines and Minerals Act:* Pursuant to the Act, a designation of a representative in relation to Crown mineral agreements agreement remains in effect until it is replaced or revoked. The Minister may replace a designated lessee as a representative in relation to an agreement if:
 - o another lessee of the agreement has given the representative 60 days’ notice of the lessees’ intention to designate another representative;
 - o the Minister is satisfied that the representative has failed to respond to the notice; and
 - o the lessees of the agreement, other than the representative, make a request to the Minister to designate another representative.
- *Seniors Benefit Act:* The Act makes consequential amendments to the *Seniors Benefit Act*.
- *Public Service Act:* The Act clarifies that deputy heads can delegate their day-to-day human resource duties to designated supervisory and management positions in a department.

Practitioners are advised to review the *Red Tape Reduction Implementation Act* to determine how the amendments affect their practice.

In Force: On various dates

Bill 81 — Election Statutes Amendment Act, 2021 (No. 2)

- Amended:**
- *Alberta Personal Income Tax Act*, RSA 2000, c A-30
 - *Alberta Senate Election Act*, SA 2019, c A-33.5
 - *Citizen Initiative Act*, SA 2021, c C-13.2
 - *Election Act*, RSA 2000, c E-1
 - *Election Finances and Contributions Disclosure Act*, RSA 2000, c E-2
 - *Legislative Assembly Act*, RSA 2000, c L-9
 - *Local Authorities Election Act*, RSA 2000, c L-21
 - *Recall Act*, SA 2021, c R-5.7

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Summary: The *Election Statutes Amendment Act* amends most election-related legislation to include references to the *Alberta Senate Election Act*, the *Citizen Initiative Act*, the *Recall Act* and the *Referendum Act*. Amongst other things, the Act caps a person's party nomination contestant contributions at \$4,000 and sets an annual \$30,000 contribution limit for donations to third parties, often called political action committees. It also establishes a formula for determining election expense limits for parties, which is \$1.16 per registered voter.

The Act also allows only Canadian citizens who are ordinarily resident in Canada to donate to political advertising.

The Act establishes the last Monday in May of every fourth year as general election day.

The Act allows for increasing the number of advance voting stations, where needed and requires voters to provide identification to vote in provincial elections.

The Act increases the expense limit for nomination contestants from 20% to 25% of a candidate's spending limit.

The Act allows voter cards to be sent electronically as well as by mail.

In Force: On proclamation, except sections 3 and 8, which came into force on December 8, 2021

Bill 82 — Mineral Resource Development Act

Amended:

- *Environmental Protection and Enhancement Act*, RSA 2000, c E-12
- *Geothermal Resources Development Act*, SA 2020, c G-5.5
- *Natural Resources Conservation Board Act*, RSA 2000, c N-3
- *Oil and Gas Conservation Act*, RSA 2000, c O-6
- *Pipeline Act*, RSA 2000, C P-15
- *Responsible Energy Development Act*, SA 2012, c R-17.3

Summary: Pursuant to the *Mineral Resource Development Act*, the Alberta Energy Regulator (the Regulator) may designate a well and all or part of a facility as defined in the *Geothermal Resource Development Act* or the *Oil and Gas Conservation Act* as a well or facility for the purposes of this Act.

Further, the Regulator may grant or transfer approvals for

- the gathering, storage and disposal of water produced in connection with the development of mineral resources;
- the injection, storage or disposal of any fluid or other substance associated with the development of mineral resources to an underground formation through a well;
- an experimental scheme;
- the concurrent production of energy resources and associated mineral resources;
- the storage, treatment, processing or disposal of waste associated with the development of mineral resources; and
- the enhanced recovery of mineral resources.

The Regulator may grant, transfer, cancel or suspend the licenses for well or facilities, where the well or facility is licensed under the two aforementioned Acts.

The abandonment of a well or facility does not relieve the licensee or working interest participant from the responsibility for the control or further abandonment of the well or facility or from the responsibility for the costs of doing that work.

The Act extends the responsibility, obligation or liability imposed on a licensee or working interest participant to associated equipment and non-licensed facilities that are located on the site or used to prevent impairment or damage or the operation, suspension, abandonment, remediation or reclamation in respect of the well, facility or site, unless such equipment or facilities are exempted from the application of the Act.

The Regulator may carry out remedial action in terms of the control, completion or operation of a well or facility if such is not done in accordance with the Act and the costs of the of suspension, abandonment, remediation and reclamation for a well and well site or facility and facility site must be paid by each working interest participant in accordance with its proportionate share in the well or facility.

In Force: On proclamation

Bill 83 — *Environmental Protection and Enhancement Amendment Act, 2021*

Amended: • *Environmental Protection and Enhancement Act, RSA 2000, c E-12*

Summary: The *Environmental Protection and Enhancement Amendment Act* moves the responsibility of recycling waste to industry product and packaging producers.

The government's flexibility in setting collection and recovery requirements is moved into regulation.

In Force: December 2, 2021

Bill 84 — *Business Corporations Amendment Act, 2021*

Amended: • *Business Corporations Act, RSA 2000, c B-9*
• *Companies Act, RSA 2000, c C-21*
• *Cooperatives Act, RSA 2001, c C-28.1*
• *Societies Act, RSA 2000, c S-14*
• *Unclaimed Personal Property and Vested Property Act, SA 2007, c U-1.5*

Summary: The *Business Corporations Amendment Act* amends the *Business Corporations Act* (the "ABCA") in multiple ways.

The Act allows corporations to waive any interest or expectancy of the corporation in or to participate in a specified business opportunity or specified classes or categories of business opportunities that are offered to the corporation or one or more of its officers, directors or shareholders.

Pursuant to the Act, a corporation may provide an advance waiver of corporate opportunities by including provisions in the articles of the corporation or in a unanimous shareholder agreement.

Directors are now be permitted to vote on a contract or transaction that they have an interest in, to the extent that the director is undertaking the obligation or obligations under the contract or transaction for the benefit of the corporation.

Due diligence defence is now available for directors in situations where the directors relied on the opinion of an employee of the corporation, if that employee's profession or expertise lends credibility to a statement made by that employee.

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The Act expands the scope of a corporation to indemnify a director or officer of the corporation to any situation where a director or officer is involved in such an action or proceeding.

Courts may grant a stay of proceedings at the beginning of the plan of arrangement proceedings and would be able to grant "any interim or final order for the plan of arrangement.

The Act shortens notice period for shareholders from 21 to 7 days for private corporations.

The Act lowers the threshold of approval for written resolutions of private corporations from unanimity to shareholders holding two-thirds of the shares entitled to vote on the matter.

The Act dispenses with the requirement to appoint an auditor by special resolution of the shareholders, which would require approval of shareholders holding two-thirds of the voting shares of the corporation.

The deadline for revival of dissolved corporations is now extended to a period within 10 years of dissolution.

The Act removes the requirement that public companies publish the record date for a shareholders' meeting or the payment of dividend in a national newspaper at least seven days prior to such record date.

In Force: On proclamation

Bill 85 — *Education Statutes (Students First) Amendment Act, 2021*

- Amended:**
- *College of Alberta School Superintendents Act*, SA 2021, c C-18.8
 - *Education Act*, SA 2012, c E-0.3
 - *Teaching Profession Act*, RSA 2000, c T-2

Summary: The *Education Statutes (Students First) Amendment Act* makes consequential amendments to the *College of Alberta School Superintendents Act*, *Education Act* and the *Teaching Profession Act*.

The Registrar is mandated to establish and maintain an online registry for the purpose of providing the public with information.

The Act mandates school boards to obtain criminal record check and vulnerable sector check prior to hiring a teacher or teacher leader and every five years thereafter during the term of employment.

Individuals employed by a board have 16 months after the coming into force of section 229.1 to provide an up-to-date check

The Act introduces an expedited process to cancel a certificate of a teacher or teacher leader convicted by an indictment under the *Criminal Code of Canada* for a serious offence that threatens students' safety and public interest.

The Act provides for the automatic suspension of all certificates held by the individual who is the subject of the complaint or allegation.

The Act requires that the Alberta Teachers' Association must notify the registrar at Alberta Education of all complaints filed under the *Teaching Profession Act*.

The Act proposes to realign the Alberta Teachers' Association disciplinary committee's structures established under the *Teaching Profession Act* regarding timelines in conducting hearings.

An application for judicial review of a decision made under a regulation to issue, refuse to issue, suspend or cancel a certificate of qualification as a teacher, a leadership certificate or a superintendent leadership certificate, or an order of the Minister that an individual be ineligible for one or more certificates must be commenced within 60 days from the day the decision or order is made.



THE CANADIAN
BAR ASSOCIATION
Alberta Branch

2021 - 2022
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In Force: On proclamation

Bill 87 — *Electoral Divisions (Calgary-Bhullar-McCall) Amendment Act*

Amended: • *Electoral Divisions Act, SA 2017, c E-4.3*

Summary: The *Electoral Divisions (Bhullar-McCall) Amendment Act* renamed the constituency of Calgary-McCall to Calgary-Bhullar-McCall.

In Force: December 2, 2021

The Canadian Bar Association - Alberta Branch Legislative Review Committee is partially funded by the Alberta Law Foundation. It has subcommittees in both Edmonton and Calgary and has filled a role in the legislative review process in Alberta for over 30 years. The Committee reviews all bills introduced in the Alberta Legislature and provides comments and assistance to both Government and the Bar on drafting and operative aspects of legislation and amending legislation. The Committee is often called upon confidentially to give legal practitioners' input on draft legislation and regulations. It played significant roles in the shaping of the Personal Property Security Act, the Civil Enforcement Act, the Builders' Lien Act and other Alberta statutes. Its chairperson sits as a member of various stakeholder committees consulted by Government, including the Registry Liaison Committee, which have helped shape statute law.

The Committee draws upon practitioners with a wide range of practical experience, some of whom have served for many years. It also, through its Legislative Liaison Officer, facilitates input by CBA sections, the Law Society, and business and community groups on the policy of legislation.