

# LEGISLATIVE REVIEW SUMMARY

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FALL 2017 | 29TH LEGISLATURE, THIRD SESSION



Alberta **LAW**  
**FOUNDATION**



THE CANADIAN  
BAR ASSOCIATION  
Alberta Branch

# LEGISLATIVE REVIEW SUMMARY

FALL 2017 | 29TH LEGISLATURE, THIRD SESSION

## HIGHLIGHTS

The 2017 fall session of the Legislature resulted in the passage of the following Acts:

1. *A Better Deal for Consumers and Businesses Act*, S.A. 2017 c.18
2. *Agencies, Boards and Commissions Review Statutes Amendment Act*, S.A. 2017 c.16
3. *Alberta Human Rights Amendment Act*, S.A. 2017 c.17
4. *An Act to Protect Gas and Convenience Store Workers*, S.A. 2017 c. 24
5. *An Act to Protect the Health and Well-being of Working Albertans*, S.A. 2017 c. 25
6. *An Act to Reduce Cannabis and Alcohol Impaired Driving*, S.A. 2017 c. 26
7. *An Act to Strengthen and Protect Democracy in Alberta*, S.A. 2017 c. 29
8. *An Act to Support Gay-Straight Alliances*, S.A. 2017 c. 30
9. *Beaver River Basin Water Authorization Act*, S.A. 2017 c. B-1.5
10. *Conflicts of Interest Amendment Act*, S.A. 2017 c. 20
11. *Electoral Divisions Act*, S.A. 2017 c. E-4.3
12. *Miscellaneous Statutes Amendment Act*, S.A. 2017 c. 22
13. *Regulated Forestry Profession Amendment Act*, S.A. 2017 c. 27
14. *Resident and Family Councils Act*, S.A. 2017 c. R-16.7
15. *School Amendment Act*, S.A. 2017 c. 28

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## AMENDED LEGISLATION:

1. *Access to the Future Act*, S.A. 2005 c.A-1.5
2. *Agricultural Operation Practices Act*, R.S.A 2000 c.A-7
3. *Agrology Profession Act*, S.A. 2005 c.A-13.5
4. *Alberta Corporate Tax Act*, R.S.A. 2000 c.A-1.5
5. *Alberta Health Care Insurance Act*, R.S.A. 2000 c.A-20
6. *Alberta Heritage Scholarship Act*, R.S.A. 2000 c.A-24
7. *Alberta Human Rights Act*, R.S.A. 2000 c.A-25.5
8. *Alberta Public Agencies Governance Act*, S.A. 2009 c.A-31.5
9. *Alberta Research and Innovation Act*, S.A. 2009 c.A-31.7
10. *Alberta School Boards Association Act*, R.S.A. 2000 c.A-32
11. *Alberta Treasury Branches Act*, R.S.A. 2000 c.A-37
12. *Auditor General Act*, R.S.A. 2000 c.A-46
13. *Body Armour Control Act*, S.A. 2010 c.B-4.8
14. *Child Protection and Accountability Act*, S.A. 2017 c.8
15. *Child, Youth and Family Enhancement Act*, R.S.A. 2000 c.C-12
16. *Children First Act*, S.A. 2013 c.C-12.5

17. *Conflicts of Interest Act*, R.S.A. 2000 c.C-23
18. *Consulting Engineers of Alberta Act*, R.S.A. 2000 c.C-26
19. *Cooperatives Act*, S.A. 2001 c.C-28.1
20. *Court of Appeal Act*, R.S.A. 2000 c.C-30
21. *Court of Queen's Bench Act*, R.S.A. 2000 c.C-31
22. *Election Act*, R.S.A. 2000 c.E-1
23. *Election Finances and Contribution Disclosure Act*, R.S.A. 2000 c.E-2
24. *Emergency Health Services Act*, S.A. 2008 c.E-6.6
25. *Environmental Protection and Enhancement Act*, R.S.A. 2000 c.E-12
26. *Fair Trading Act*, R.S.A. 2000 c.F-2
27. *Family Support for Children with Disabilities Act*, S.A. 2003 c.F-5.3
28. *Financial Administration Act*, R.S.A. 2000 c.F-12
29. *Financial Consumers Act*, R.S.A. 2000 c.F-13
30. *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000 c.F-25
31. *Gaming and Liquor Act*, R.S.A. 2000 c.G-1
32. *Government Organization Act*, R.S.A. 2000 c.G-10
33. *Health Professions Act*, R.S.A. 2000 c.H-7
34. *Hospitals Act*, R.S.A. 2000 c.H-12
35. *Insurance Act*, R.S.A. 2000 c.I-3
36. *International Conventions Implementation Act*, R.S.A. 2000 c.I-6
37. *Interpretation Act*, R.S.A. 2000 c.I-8
38. *Investing in a Diversified Alberta Economy Act*, S.A. 2016 c.I-10.5
39. *Judicature Act*, R.S.A. 2000 c.J-2
40. *Justice of the Peace Act*, R.S.A. 2000 c.J-4
41. *Land Titles Act*, R.S.A. 2000 c.L-4
42. *Limitations Act*, R.S.A. 2000 c.L-12
43. *Lobbyists Act*, S.A. 2007 c.L-20.5
44. *Maintenance Enforcement Act*, R.S.A. 2000 c.M-1
45. *Marketing of Agricultural Products Act*, R.S.A. 2000 c.M-4
46. *Members of the Legislative Assembly Pension Plan Act*, R.S.A. 2000 c.M-12
47. *Modernized Municipal Government Act*, S.A. 2016 c.24
48. *Municipal Government Act*, R.S.A. 2000 c.M-26
49. Occupational Health and Safety Code 2009
50. *Ombudsman Act*, R.S.A. 2000 c.O-8
51. *Personal Directives Act*, R.S.A. 2000 c.P-6
52. *Personal Information Protection Act*, S.A. 2003 c.P-6.5
53. *Pharmacy and Drug Act*, R.S.A. 2000 c.P-13
54. *Pooled Registered Pension Plans Act*, S.A. 2013 c.P-18.5
55. *Provincial Court Act*, R.S.A. 2000 c.P-31
56. *Provincial Parks Act*, R.S.A. 2000 c.P-35
57. *Public Health Act*, R.S.A. 2000 c.P-37
58. *Public Sector Pension Plans Act*, R.S.A. 2000 c.P-41
59. *Public Service Act*, R.S.A. 2000 c.P-42

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60. *Public Utilities Act*, R.S.A. 2000 c.P-45
61. *Queen Elizabeth II Golden Jubilee Recognition Act*, S.A. 2002 c.Q-0.5
62. *Reform of Agencies, Boards and Commissions Compensation Act*, S.A. 2016 c.R-8.5
63. *Regulated Forestry Profession Act*, R.S.A. 2000 c.R-13
64. *Residential Tenancies Act*, S.A. 2004 c.R-17.1
65. *School Act*, R.S.A. 2000 c.S-3
66. *Security Services and Investigators Act*, S.A. 2007 c.S-4.7
67. *Student Financial Assistance Act*, S.A. 2002 c.S-20.5
68. *Teaching Profession Act*, R.S.A. 2000 c.T-2
69. *Traffic Safety Act*, R.S.A. 2000 c.T-6
70. *Veterinary Profession Act*, R.S.A. 2000 c.V-2
71. *Water Act*, R.S.A. 2000 c.W-3
72. *Weed Control Act*, S.A. 2008 c.W-5.1
73. *Workers' Compensation Act*, R.S.A. 2000 c.W-15

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## REPEALED LEGISLATION:

1. *Alberta Economic Development Authority Act*, R.S.A. 2000 c.A-16
2. *Building Families and Communities Act*, S.A. 2013 c.B-7.5
3. *Electoral Divisions Act*, S.A. 2010 c.E-4.2
4. *Occupational Health and Safety Act*, R.S.A. 2000 c.O-2

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## DETAILED LISTING OF BILLS

### **Bill 19 - An Act to Protect Gas and Convenience Store Workers, S.A. 2017, c.24**

**Amended:** • The Occupational Health and Safety Code, 2009

**Summary:** *An Act to Protect Gas and Convenience Store Workers* amends the Occupational Health and Safety Code and mandates retail fuel and convenience stores to, among other things, expand their policies and procedures to include violence prevention plans which provide for:

1. Safe-cash handling procedures such as;
  - a. Time-lock safes that cannot be opened between 11 p.m. and 5 a.m.; and
  - b. Limiting quantity of high value items such as cash and lottery tickets on the premises between 11 p.m. and 5 a.m.
2. Employing video surveillance technology; and
3. Ensuring workers who work alone wear a monitored personal emergency transmitter.

Retail fuel and convenience stores must require mandatory prepayment for fuel purchase.

Employees must be trained in the violence prevention plan.

The stores must also have signage to indicate some of the foregoing.

**In Force:** June 1, 2018

**Bill 20 - Beaver River Basin Water Authorization Act, S.A. 2017, c.B-1.5**

**Summary:** The Beaver River Basin Water Authorization Act, authorizes licenses to be issued or amended with respect of the communities and residents:

1. Of St. Paul No. 19; allowing for the transfer of treated municipal water between the North Saskatchewan River Basin and the Beaver River Basin; and
2. Within Smoky Lake County and the White Fish Lake Indian Reserve 128; allowing for the transfer of treated municipal water between the North Saskatchewan River Basin and the Beaver River Basin in an annual amount not to exceed 550 cubic decametres.

No appeal may be made to the Environmental Appeals Board from any decisions to issue the foregoing licenses.

**In Force:** December 15, 2017

**Bill 21 - Agencies, Boards and Commissions Review Statutes Amendment Act, S.A. 2017, c.16**

- Amended:**
- *Access to the Future Act*, S.A. 2005 c.A-1.5
  - *Agricultural Operation Practices Act*, R.S.A. 2000 c.A-7
  - *Alberta Heritage Scholarship Act*, R.S.A. 2000 c.A-24
  - *Conflicts of Interest Act*, R.S.A. 2000 c.C-23
  - *Queen Elizabeth II Golden Jubilee Recognition Act*, S.A. 2002 c.Q-0.5
  - *Student Financial Assistance Act*, S.A. 2002 c.S-20.5

- Repealed:**
- *Alberta Economic Development Authority Act*, R.S.A. 2000 c.A-16
  - *Building Families and Communities Act*, S.A. 2013 c. B-7.5

**Summary:** The *Agencies, Boards and Commissions Review Statutes Amendment Act*, repeals and amends nine pieces of legislation to dissolve some public agencies including the Students Finance Board, the Access Advisory Council, and the Alberta Economic Development Authority.

**In Force:** December 15, 2017

**Bill 22 - Resident and Family Councils Act, S.A. 2017, c.R-16.7**

**Summary:** The *Resident and Family Councils Act* allows long-term care and licensed supportive living facility residents or their family members to establish a family or resident council ("Council"). Facilities with three or fewer residents, which fall outside the *Supportive Living Accommodation Licensing Act*, S.A. 2009, c S-23.5, are not affected by the Act.

Upon the coming into force of the *Resident and Family Councils Act*, operators of facilities where there are no Councils in existence must post notices in the facilities, advising residents and people important to them, that there is a right to establish a Council. The operators must ensure such notices remain posted until a Council is established. Every six months until a Council is established, such an operator must convene a publicized meeting to inform residents and other people of the right to establish a Council.

Operators of the facilities must provide a wide range of administrative and other support to Councils.

**In Force:** On Proclamation



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## **Bill 23 - Alberta Human Rights Amendment Act, S.A. 2017, c.17**

**Amended:** • *Alberta Human Rights Act*, R.S.A. 2000, c.A-25.5

**Summary:** The *Alberta Human Rights Amendment Act* adds, in addition to other grounds of discrimination, discrimination on the basis of age when it comes to tenancy and goods, services, accommodations, or facilities. However, this provision does not affect policies, programs and activities which are designed to improve the conditions of disadvantaged persons, minors or senior.

The prohibition of discrimination on the basis of age does not apply to existing age-restricted accommodation.

**In Force:** January 1, 2018

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## **Bill 24 - An Act to Support Gay-Straight Alliances, S.A. 2017, c.30**

**Amended:** • *School Act*, R.S.A. 2000, c.S-3

**Summary:** An Act to Support Gay-Straight Alliances amends the School Act with regards to Gay-Straight Alliances (GSAs) or Queer-Straight Alliances (QSAs) in various ways including:

1. Principals must immediately grant permission to establish student organizations and allow the students to choose a name, which could include "GSA" or "QSA";
2. Every school must have a well-publicized policy and code of conduct which affirm rights of staff members and students, and which requires the principal to obtain approval of the superintendent or board prior to carrying out his duties in #1;
3. If a school does not establish a policy or a code of conduct, the Minister of Education may establish either; and
4. Parental notification around courses of study would not apply to student participation in a club, including a GSA or a QSA.

**In Force:** December 15, 2017 (with exceptions)

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## **Bill 25 - Regulated Forestry Profession Amendment Act, S.A. 2017, c.27**

**Amended:** • *Ombudsman Act*, R.S.A. 2000, c.O-8  
• *Regulated Forestry Profession Act*, R.S.A. 2000, c.R-13

**Summary:** The *Regulated Forestry Profession Amendment Act* amends the *Regulated Forestry Profession Act* to merge the College of Alberta Professional Foresters and the College of Alberta Professional Forest Technologists into one regulatory organization called the Association of Alberta Forest Management Professionals.

Complaints are now to be laid with a complaint inquiry committee of at least three members from the membership list and some members of the public.

The complaints inquiry committee must provide every complaint to the subject of that complaint within 30 days after receiving the complaint. The recipient must have the opportunity to respond within 30 days of receipt of the particulars.

The complaint inquiry committee may continue the investigation into a complaint even if a complaint has been withdrawn or settled. Most amendments are consequential administrative amendments. The governing regulations would also be consolidated.

**In Force:** Various dates

**Bill 26 - An Act to Control and Regulate Cannabis, S.A. 2017, c.21**

- Amended:**
- *Gaming and Liquor Act*, R.S.A. 2000, c.G-1
  - *Municipal Government Act*, R.S.A. 2000 c.M-26

**Summary:** Pursuant to *An Act to Control and Regulate Cannabis*, the *Gaming and Liquor Act* will now be known as the *Gaming, Liquor and Cannabis Act*. Under the Act, the Alberta Gaming and Liquor Commission ("AGLC") is empowered to oversee the distribution of cannabis and to retail cannabis by retailers who only carry cannabis. The Act also lays the foundation for the sale of cannabis online.

The Act prohibits consumption of cannabis in vehicles - unless the vehicle is a temporary residence. Cannabis products must be stored away from the reach of drivers and passengers and stored in closed packaging.

The Act establishes provincial offences related to youth possession, smoking and vaping cannabis in prohibited areas, and consumption of cannabis in vehicles. The Act also prohibits smoking and vaping of cannabis in any place where a person is prohibited from smoking tobacco under the *Tobacco and Smoking Reduction Act*. The Act makes it an offence to smoke or vape in any outdoor spaces typically frequented by children such as playgrounds, spray parks, skateboard parks, outdoor pools, as well as school and hospital properties.

**In Force:** On proclamation

**Bill 27 - Conflicts of Interest Amendment Act, S.A. 2017, c.20**

- Amended:**
- *Alberta Public Agencies Governance Act*, S.A. 2009 c.A-31.5
  - *Conflicts of Interest Act*, R.S.A. 2000 c.C-23
  - *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000 c.F-25
  - *Lobbyists Act*, S.A. 2007 c.L-20.5
  - *Public Service Act*, R.S.A. 2000 c.P-42

**Summary:** *Conflicts of Interest Amendment Act* requires all agencies under the *Alberta Public Agencies Governance Act* to submit updated codes of conduct reflecting prescribed requirements of the Act to the Alberta Ethics Commissioner within four months of the Act's proclamation. The Ethics Commissioner, upon being satisfied that the revised codes meet the requirements of the Act must sign off on the codes by March 31, 2019. Agencies have to publish their new codes of conduct no later than April 30, 2019.

The legislation also proposes a set of core statutory requirements for senior officials and designated senior officials including restrictions on private interest, using influence, using insider information, and disclosure of real and apparent conflicts of interest. There are restrictions on designated senior officials regarding concurrent employment, holding stocks and other public securities, as well as post-employment restrictions following employment with a public agency.

The Ethics Commissioner's authority is wide. The Ethics Commissioner may review disclosures from designated senior officials, reduce requirements for restrictions on public securities and restrictions on postemployment; investigate alleged breaches of the Act by designated senior officials, issue reports and make recommendations to the responsible minister and/or board, review public agency codes of conduct.

Disclosure information submitted to the Ethics Commissioner is confidential.

Cabinet may add or exempt agencies and positions from any conflict-of-interest requirement.

**In Force:** December 15, 2017 (with exceptions)

# LEGISLATIVE SUMMARY

## **Bill 28 - School Amendment Act, 2017, S.A. 2017, c.28**

- Amended:**
- *School Act*, R.S.A. 2000 c.S-3
  - *Teaching Profession Act*, R.S.A. 2000, c.T-2

**Summary:** The *School Amendment Act* amends the *School Act* and the *Teaching Profession Act*. The amendments include the requirement that children must be five years of age by December 31 of the year to attend kindergarten.

Teachers must hold leadership certificates in order to be designated as principals by school boards. Teachers must hold superintendent leadership certificates in order to be designated as superintendents by school boards.

School boards must develop and implement codes of conduct for school board trustees.

The period for the approval of a special school tax levy by a plebiscite has been increased from three to four years.

Under the Act, the right to establish and disestablish separate school districts has been amended and expanded.

The Act amends provisions in the *School Act* regarding students' eligibility for transportation.

**In Force:** On various dates

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## **Bill 29 - An Act to Reduce Cannabis and Alcohol Impaired Driving, 2017, S.A. 2017, c.26**

- Amended:**
- *Traffic Safety Act*, R.S.A. 2000, c.T-6

**Summary:** *An Act to Reduce Cannabis and Alcohol Impaired Driving* amends the *Traffic Safety Act* in order to extend the provisions to cover impairment by a drug.

Among other things, the amendment provides a 90-day licence suspension to replace indefinite licence suspension until the disposition of the court proceedings. Administrative amendments update references to the *Criminal Code* and the *Traffic Safety Act*.

Upon application, the Alberta Transportation Safety Board will grant one reconsideration of an appeal decision if the circumstances of the appeal have substantially changed since the original decision. Appeal decisions already reconsidered would not be reconsidered.

The Alberta Transportation Safety Board may no longer hear appeals on court-imposed drivers' licence suspensions.

The Minister is authorized to make regulations respecting the use of electronic documents and e-signatures.

**In Force:** On proclamation (with exceptions)

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## **Bill 30 - An Act to Protect the Health and Well-Being of Working Albertans, S.A. 2017, c.25**

- Amended:**
- *Occupational Health and Safety Code 2009*
  - *Workers' Compensation Act*, R.S.A. 2000 c.W-15

- Repealed:**
- *Occupational Health and Safety Act*, R.S.A. 2000 c.O-2

**Summary:** *An Act to Protect the Health and Well-Being of Working Albertans* repeals the *Occupational Health and Safety Act* and amends the *Workers' Compensation Act*.



The new *Occupational Health and Safety Act* expands employers' obligations to include, among others, the obligation to adequately train and supervise workers, resolve health and safety concerns in a timely manner, protect workers from harassment or violence, advise prime contractors of all supervisors' names.

Workers' obligations under the *Occupational Health and Safety Act* include reporting safety concerns and cooperating with the supervisor and employer to protect everyone's health and safety, as well as using required personal protective equipment.

Certain terms such as "worker" "supervisor" and "owner" have been expanded. An owner is the registered owner at Land Titles, or the person who enters into an agreement with the owner to assume the owners' responsibilities under the Act.

The *Occupational Health and Safety Act* expands the obligations of suppliers, contractors and prime contractors and introduces new parties who have obligations with regards to workplaces. Such parties include service providers, self-employed persons and temporary staffing agencies.

"Health and safety" is defined under the *Occupational Health and Safety Act* to include physical, psychological and social well-being. The definition of "violence" includes psychological injury or harm and domestic violence.

Employers who employ twenty or more workers for 90 days or more, or if at a designated work site, must establish a Joint Work Site Health and Safety Committee, as well as a health and safety program. Employers of between 5 to 19 workers for 90 days or more must designate Health and Safety Representatives who perform similar duties to a Joint Work Site Health and Safety Committee.

The *Occupational Health and Safety Act* provides that a worker may refuse to work or to do particular work if the worker believes on reasonable grounds that there is a dangerous condition at the work site, or that the work constitutes a danger to the worker's health and safety, or to that of someone else. The worker must promptly report the refusal and the reasons for the refusal. A worker exercising the right to refuse dangerous work is entitled to continue to be paid, although the employer may temporarily assign the worker to alternate work.

Under the *Occupational Health and Safety Act*, the reporting and investigation requirement for serious injuries and incidents will be triggered anytime a worker is admitted to hospital. Near misses must also be investigated and reported.

The Act requires that Occupational Health and Safety laws must be reviewed every five years.

The *Workers' Compensation Act* was amended to add a requirement that the Workers' Compensation Board establish a Code of Rights and Conduct in consultation with workers, employers, the Appeals Commission and the newly created Fair Practices Office.

Under the amended *Workers' Compensation Act*, where an injured worker has at least 12 months of service, the employer must accommodate the worker to the point of undue hardship. If the worker is medically and physically capable of performing the essential duties of his or her date of accident employment, the employer must offer to reinstate the worker in the same or a comparable position at the same pay and benefits. If the worker is medically and physically capable of performing suitable work, but not the essential duties of his or her date of accident employment, the employer must offer the worker the first opportunity available for suitable employment.

There is a rebuttable presumption of the employer's non-compliance with return to work obligations if the employer terminates the worker within 6 months or while the worker continues to receive compensation under the Workers' Compensation Act.

**In Force:** December 15, 2017

# LEGISLATIVE SUMMARY

## **Bill 31 - A Better Deal for Consumers and Businesses Act, S.A. 2017, c.18**

- Amended:**
- *Fair Trading Act*, R.S.A. 2000, c.F-2
  - *Veterinary Profession Act*, R.S.A. 2000 c.V-2

**Summary:** The *Fair Trading Act* is renamed the *Consumer Protection Act*. The Minister is mandated to establish a Consumer Bill of Rights and make same publicly available.

The Act prohibits unilateral changes to ongoing contracts without the express consent of the consumer upon no less than 60 days' written notice, and no more than 120 days' written notice of proposed changes to the contract. Upon receiving notice of a proposed change, a consumer may cancel the transaction at no charge upon notice to the supplier.

The Act prohibits suppliers from enforcing or attempting to enforce agreements. Mandatory arbitration clauses are void and unenforceable.

The Act protects consumers who file complaints in good faith or issue a negative online review reviews against lawsuits.

The use of automated ticket purchasing software is prohibited. Also prohibited is knowingly selling or facilitating the sale of tickets purchased using automated ticket purchasing software. The Act requires primary sellers to use reasonable diligence to identify and cancel any tickets purchased using automated ticket purchasing software. The Act also gives a ticket purchaser or ticket business a right of action when they have suffered a loss due to the use of automated ticket purchasing software.

Secondary sellers or operators of a secondary ticketing platform are required to provide a full refund in circumstances such as where the event is cancelled, the ticket is invalid or unusable, or the ticket was purchased using automated ticket purchasing software.

The Act requires automotive business operators to disclose key vehicle information to consumers, use a standard bill of sale, provide a warranty for repairs, provide a written estimate of work on request for repairs, and not carry out repair work unless the consumer has provided authorization. The Alberta Motor Vehicle Industry Council ("AMVIC") is continued as a corporation although section 4 of the *Companies Act* does not apply to AMVIC.

The composition of the AMVIC board becomes six industry appointees and six public-at-large representatives, with the Minister appointing the board chair.

The Act regulates lending at a rate of 32% or higher per year and requires such businesses to be licensed. Such businesses do not include payday loan businesses. The businesses will be required to disclose information about the high cost credit agreements.

Unless exempted in the regulations, registered veterinarians must disclose fees payable by clients before administering any veterinary services or treatments for household pets and require customer approval prior to administering veterinary services.

The Act also enables advertising by registered veterinarians, a partnership of registered veterinarians or permit holder.

**In Force:** On various dates

**Bill 32 - An Act to Strengthen and Protect Democracy in Alberta, S.A. 2017, c.29**

- Amended:**
- *Election Act*, R.S.A. 22000 c.E-1
  - *Election Finances and Contributions Disclosure Act*, R.S.A. 2000 c.E-2
  - *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000 c.F-25
  - *Personal Information Protection Act*, S.A. 2003 c.P-6.5
  - *Security Services and Investigators Act*, S.A. 2008 c.S-4.7

**Summary:** *An Act to Strengthen and Protect Democracy in Alberta* amends the *Election Act* and the *Election Finances and Contributions Disclosure Act*.

Starting December 1 prior to an election year, individuals, corporations, unions, employee groups, or other third parties are prohibited from spending more than \$150,000 on political advertising, of which amount no more than \$3,000 could be used to promote or oppose the election of one or more candidates in any one electoral division.

Money spent on canvassing and organizing events to promote or oppose a party, nominee, candidate would be considered advertising expenses.

The Act prohibits advertising or publishing information about government programs or activities after the writ has been issued for a general election.

The election commissioner is responsible for investigating complaints, taking enforcement action, and recommending prosecutions. The election commissioner’s annual report would include information on the number and types of complaints received, investigations conducted, and the disposition of each complaint or investigation. The election commissioner is an officer of the Legislature.

Albertans be able to vote at the polling station closest to them on any advance voting day.

The Act allows Elections Alberta to hold more mobile polls and to establish special mobile polls. Elections Alberta may use non-human voter assist terminals in general elections. Elections Alberta must provide information to the public about the elections process and their right to vote. Elections Alberta may automatically register Albertans to vote when they turn 18 and such persons must be added to the register. Such persons may object to, and request to be removed from the register. The minimum residency requirement has been removed for new Albertans who are 18 years of age or older.

Electors may apply for special ballots as earlier as January 1 of that election year. Special ballots would then be mailed out to electors as soon as the writ is issued.

In the event of a local emergency, the Chief Electoral Officer may adjourn voting at that polling place to later in the same day, or perhaps change the polling place location. In the case of more serious emergencies necessitating the cancellation of voting on the same day, the Chief Electoral Officer may apply to the court to discontinue the election in one or more electoral divisions and hold the election at another time and place. The election would have to be held within six months.

**In Force:** On various dates

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**Bill 33 - Electoral Divisions Act, S.A. 2017, c.E-4.3**

- Amended:**
- *Electoral Divisions Act*, S.A. 20100, c.E-4.2

**Summary:** The *Electoral Divisions Act* changes the names and boundaries of Alberta’s electoral divisions.

**In Force:** On day writ issued (with exceptions)

# LEGISLATIVE SUMMARY

## Bill 34 - *Miscellaneous Statutes Amendment Act, S.A. 2017, c.22*

- Amended:**
- *Agrology Profession Act, S.A. 2005 c.A-13.5*
  - *Alberta Corporate Tax Act, R.S.A. 2000 c.A-15*
  - *Alberta Health Care Insurance Act, R.S.A. 2000 c.A-20*
  - *Alberta Research and Innovation Act, S.A. 2009 c.A-31.7*
  - *Alberta School Boards Association Act, R.S.A. 2000 c.A-32*
  - *Alberta Treasury Branches Act, R.S.A. 2000 c. A-37*
  - *Auditor General Act, R.S.A. 2000 c. A-46*
  - *Body Armour Control Act, S.A. 2010 c.B-4.8*
  - *Child Protection and Accountability Act, S.A. 2017 c.8*
  - *Child, Youth and Family Enhancement Act, R.S.A. 2000 c.C-12*
  - *Children First Act, S.A. 2013 c.C-12.5*
  - *Consulting Engineers of Alberta Act, R.S.A. 2000 c.C-26*
  - *Cooperatives Act, S.A. 2001 c.C-28.1*
  - *Court of Appeal Act, R.S.A. 2000 c.C-30*
  - *Court of Queen's Bench Act, R.S.A. 2000 c.C-31*
  - *Emergency Health Services Act, S.A. 2008 c.E-6.6*
  - *Environmental Protection and Enhancement Act, R.S.A. 2000 c.E-12*
  - *Fair Trading Act, R.S.A. 2000 c.F-2*
  - *Family Support for Children with Disabilities Act, S.A. 2003 c.F-5.3*
  - *Financial Administration Act, R.S.A. 2000 c.F-12*
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  - *Freedom of Information and Protection of Privacy Act, R.S.A. 2000 c.F-25*
  - *Government Organization Act, R.S.A. 2000 c.G-10*
  - *Health Professions Act, R.S.A. 2000 c.H-7*
  - *Hospitals Act, R.S.A. 2000 c.H-12*
  - *Insurance Act, R.S.A. 2000 c.I-3*
  - *International Conventions Implementation Act, R.S.A. 2000 c.I-6*
  - *Interpretation Act, R.S.A. 2000 c.I-8*
  - *Investing in a Diversified Alberta Economy Act, S.A. 2016 c.I-10.5*
  - *Judicature Act, R.S.A. 2000 c.J-2*
  - *Justice of the Peace Act, R.S.A. 2000 c.J-4*
  - *Land Titles Act, R.S.A. 2000 c.L-4*
  - *Limitations Act, R.S.A. 2000 c.L-12*
  - *Maintenance Enforcement Act, R.S.A. 2000 c.M-1*
  - *Marketing of Agricultural Products Act, R.S.A. 2000 c.M-4*
  - *Members of the Legislative Assembly Pension Plan Act, R.S.A. 2000 c.M-12*
  - *Modernized Municipal Government Act, S.A. 2016 c.24*
  - *Municipal Government Act, R.S.A. 2000 c.M-26*
  - *Personal Directives Act, R.S.A. 2000 c.P-6*
  - *Pharmacy and Drug Act, R.S.A. 2000 c.P-13*
  - *Pooled Registered Pension Plans Act, S.A. 2013 c.P-18.5*
  - *Provincial Court Act, R.S.A. 2000 c.P-31*
  - *Provincial Parks Act, R.S.A. 2000 c.P-35*
  - *Public Health Act, R.S.A. 2000 c.P-37*
  - *Public Sector Pension Plans Act, R.S.A. 2000 c.P-41*
  - *Public Utilities Act, R.S.A. 2000 c.P-45*
  - *Reform of Agencies, Boards and Commissions Compensation Act, S.A. 2016 c.R-8.5*
  - *Residential Tenancies Act, S.A. 2004 c.R-17.1*
  - *Traffic Safety Act, R.S.A. 2000 c.T-6*
  - *Water Act, R.S.A. 2000 c.W-3*
  - *Weed Control Act, S.A. 2008 c.W-5.1*

**Summary:** The Miscellaneous Statutes Amendment Act introduces various amendments to the foregoing legislation. Practitioners are encouraged to review the Act to confirm how the amendments affect their areas of practice.

**In Force:** December 15, 2017 (with exceptions)

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*The Legislative Review Committee is a joint committee of the Law Society of Alberta and the Canadian Bar Association - Alberta Branch and, in addition receives funding from 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 play 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.*

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