

LEGISLATIVE REVIEW SUMMARY

SPRING 2021 | 30TH LEGISLATURE, SECOND SESSION



Alberta **LAW**
FOUNDATION



THE CANADIAN
BAR ASSOCIATION
Alberta Branch

LEGISLATIVE REVIEW SUMMARY

SPRING 2021 | 30TH LEGISLATURE, SECOND SESSION

HIGHLIGHTS

The 2020 fall seating of the Legislature resulted in the passage of the following Acts:

1. *Appropriation (Supplementary Supply) Act, SA 2021 c2*
2. *Builders' Lien (Prompt Payment) Amendment Act, SA 2020 c30*
3. *Citizen Initiative Act, SA 2021 c13.2*
4. *College of Alberta School Superintendents Act, SA 2021 c18.8*
5. *Conflicts of Interest (Protecting the Rule of Law) Amendment Act, SA 2021 c*
6. *COVID-19 Related Measures Act, SA 2021 cC-31.3*
7. *Election Statutes Amendment Act, SA 2021 c9*
8. *Employment Standards (COVID-19 Vaccination Leave) Amendment Act, SA 2021 c4*
9. *Freedom to Care Act, SA 2021 cF-25.4*
10. *Health Statutes Amendment Act, SA 2021 c10*
11. *Irrigation Districts Amendment Act, SA 2021 c5*
12. *Local Measures Statutes Amendment Act, SA 2021 c11*
13. *Metis Settlements Amendment Act, SA 2021 c12*
14. *Miscellaneous Statutes Amendment Act, SA 2021 c13*
15. *Police (Street Checks and Carding) Amendment Act, SA 2021 c14*
16. *Preserving Canada's Economic Prosperity Act, SA 2021 cP-21.51*
17. *Public Health Amendment Act, SA 2021 c15*
18. *Public Lands Amendment Act, SA 2021 c8*
19. *Recall Act, SA 2021 cR-5.7*
20. *Red Tape Reduction Implementation Act, SA 2021 c16*
21. *Service Alberta Statutes (Virtual Meetings) Amendment Act, SA 2021 c3*
22. *Skilled Trades and Apprenticeship Education Act, SA 2021 cS-7.88*
23. *Vital Statistics Amendment Act, SA 2021 c7*

.....

AMENDED LEGISLATION:

- *Alberta Evidence Act, RSA 2000, cA-18*
- *Alberta Investment Attraction Act, SA 2020, cA-26.4*
- *Alberta Utilities Commission Act, SA 2007, cA-37.2*
- *Builders' Lien (Prompt Payment) Amendment Act, SA 2020, c30*
- *Business Corporations Act, RSA 2000, cB-9*
- *Business Corporations Act, SS 2021, c6*
- *Commercial Tenancies Protection Act, SA 2020, cC-19.5*
- *Companies Act, RSA 2000, cC-21*
- *Condominium Property Act, SA 2014, c10*

- *Conflicts of Interest Act*, RSA 2000, cC-23
- *Consumer Protection Act*, RSA 2000, cC-26.3
- *Cooperatives Act*, SA 2001, cC-28.1
- *Crown's Right of Recovery Act*, SA 2009, cC-35
- *Dangerous Goods Transportation and Handling Act*, RSA 2000, cD-4
- *Education Act*, SA 2012, cE-0.3
- *Election Act*, RSA 2000, cE-1
- *Emergency 911 Act*, SA 2013, c E-7.5
- *Employment Standards Code*, RSA 2000, cE-9
- *Fair Registration Practices Act*, SA 2019, cF-1.5
- *Family Protection Act*, RSA 2000, cF-4.7
- *Family Support for Children with Disabilities Act*, SA 2003, cF-5.3
- *Fatal Accidents Act*, RSA 2000, cF-8
- *Health Professions Act*, RSA 2000, cH-7
- *Health Statutes Amendment Act, 2020 (No. 2)*, SA 2020, c35
- *Income and Employment Supports Act*, SA 2003, cI-0.5
- *Irrigation Districts Act*, SA 2021 c5
- *Local Government Fiscal Framework Act*, SA 2019, cL-21.5
- *Mental Health Act*, RSA 2000, cM-13
- *Mental Health Amendment Act*, SA 2020, c15
- *Metis Settlements Act*, RSA 2000, cM-14
- *Municipal Government Act*, RSA 2000, cM-26
- *Municipal Government Act*, SA 2021, c6
- *Oil and Gas Conservation Act*, RSA 2000, cO-6
- *Pharmacy and Drug Act*, RSA 2000, cP-13
- *Police Act*, RSA 2000, cP-171
- *Professional and Occupational Associations Registration Act*, RSA 2000, cP-26
- *Public Health Act*, RSA 2000, cP-37
- *Public Lands Act*, RSA 2000, cP-40
- *Public Service Employee Relations Amendment Act*, SA 2018, c21
- *Public Trustee Act*, SA 2004, cP-44.1
- *Real Estate Act*, RSA 2000, cR-5
- *Red Tape Reduction Implementation Act*, SA 2020 c25
- *Restoring Balance in Alberta's Workplaces Act*, SA 2020, c28
- *Securities Act*, RSA 2000, cS-4
- *Societies Act*, RSA 2000, cS-14
- *Special Areas Act*, RSA 2000, cS-16
- *Teaching Profession Act*, RSA 2000, cT-2
- *Traffic Safety Act*, RSA 2000, cT-6
- *Travel Alberta Act*, SA 2008, cT-6.5
- *Vital Statistics Act*, SA 2021 c7
- *Workers' Compensation Act*, RSA 2000, cW-15



REPEALED LEGISLATION:

- *Apprenticeship and Industry Training Act*, RSA 2000, cA-42
- *Preserving Canada's Economic Prosperity Act*, SA 2018 cP-21.5

ENACTED LEGISLATION:

- *Appropriation (Supplementary Supply) Act*, SA 2021 c2
- *Appropriation Act*, SA 2021 c1
- *College of Alberta School Superintendents Act*, SA 2021 c18.8
- *COVID-19 Related Measures Act*, SA 2021 cC-31.3
- *Freedom to Care Act*, SA 2021 cF-25.4
- *Preserving Canada's Economic Prosperity Act*, SA 2021 cP-21.51
- *Recall Act*, SA 2021 cR-5.7
- *Skilled Trades and Apprenticeship Education Act*, SA 2021 cS-7.88

DETAILED LISTING OF BILLS

Bill 51 - *Citizen Initiative Act*

Summary: Pursuant to the *Citizen Initiative Act*, electors may now submit legislative, policy and or constitutional referendum proposals to the Chief Electoral Officer within certain parameters.

If the Chief Electoral Officer confirms that the elector satisfies the parameters, then the proposal must be published on the website Chief Electoral Officer who will subsequently issue an initiative petition. The Chief Electoral Officer may also publish the total number of electors in the province on the post-polling-day list of electors for the previous general elections and the total number of signatures required for an initiative petition to succeed.

If the Chief Electoral Officer approves the proposal, the petitioner would proceed to gather signatures of eligible voters, i.e., 10% of voters province-wide for legislative and policy initiatives and 20% per cent of voters province-wide, in two-thirds of Alberta's constituencies for constitutional initiatives.

The Chief Electoral Officer would review the signatures and determine if the petition has been successful. Successful legislative and policy initiatives would then be referred to a committee of the Legislative Assembly of Alberta for consideration. If the committee does not support a legislative initiative, a public vote would be held. Successful constitutional initiatives will proceed through the process established in the *Referendum Act*.

In Force: On proclamation

Bill 52 — *Recall Act*

Amended:

- *Education Act*, SA 2012, cE-0.3
- *Municipal Government Act*, SA 2021, c6

Summary: The *Recall Act* initiates the process for removing and replacing elected officials, including Member of the Legislative Assembly of Alberta ("MLAs"), municipal officials and school board officials.

For MLAs, 18 months after an election and until 6 months before the next general election, an eligible Alberta voter may begin the process to have an MLA recalled by applying to the Chief Electoral Officer for a petition to recall that elected official.

If the application is complete and meets the requirements of the Act, the Chief Electoral Officer will issue the petition to be used to collect signatures. The petitioner has 60 days to gather signatures from 40 per cent of eligible voters in that constituency. Signatures would be submitted to the Chief Electoral Officer who would ensure the signatures are valid and the petition has met the 40 per cent threshold.

If the recall petition is successful, a recall vote would be held to determine if the elected official should be recalled. If the recall vote is successful by a simple majority, the official ceases to hold office and a by-election would be held.

For Municipal Officials, Albertans may notify the Chief Administrative Officer in their municipality of their intention to start a recall petition. The Chief Administrative Officer would publish a notice of the petition on the municipality's website, and the petitioner would then have 60 days from the date the petition is published on the website to gather signatures from eligible voters that represent 40 per cent of the population of the municipality or ward. If the petition is successful, the Chief Administrative Officer would make a declaration of the successful recall petition at the next municipal council meeting, and the official would be removed.

For school board officials, Albertans may apply to the secretary of the school board. The petitioner would then have 120 days to gather signatures from eligible voters that represent 40 per cent of the eligible voters in that school district. The official will be removed if the recall petition is successful.

In Force: On Proclamation

Bill 53 — *Service Alberta Statutes (Virtual Meetings) Amendment Act*

- Amended:**
- *Business Corporations Act*, SS 2021, c6
 - *Companies Act*, RSA 2000, cC-21
 - *Condominium Property Act*, SA 2014, c10
 - *Cooperatives Act*, SA 2001, cC-28.1
 - *Red Tape Reduction Implementation Act*, SA 2020 c25
 - *Societies Act*, RSA 2000, cS-14

Summary: The *Service Alberta Statutes (Virtual Meetings) Amendment Act* allows Condominium Corporations, Residents Associations / Home Owners Associations, corporations, non-profits organizations, societies and cooperatives the option to hold virtual meetings with the use of “electronic means” unless their bylaws, articles or other governing laws expressly provide otherwise.

“Electronic means” is defined as “a method of electronic or telephonic communication that enables all persons attending the meeting to hear and communicate with each other instantaneously, including, without limitation, teleconferencing and computer network-based or internet-based communications platforms.”

The amendments are retroactive to August 15, 2020.

In Force: August 15, 2020, except for section 5, which comes into force March 26, 2021

Bill 54 — *Irrigation Districts Amendment Act*

- Amended:**
- *Irrigation Districts Act*, SA 2021 c5

Summary: The *Irrigation Districts Amendment Act* amends the *Irrigation Districts Act* by specifying what is considered commercial activity when it comes to investments.

In Force: April 22, 2021

LEGISLATIVE SUMMARY

Bill 55 — *College of Alberta School Superintendents Act*

- Amended:**
- *Education Act*, SA 2012, cE-0.3
 - *Teaching Profession Act*, RSA 2000, cT-2

Summary: The *College of Alberta School Superintendents Act* continues the College of Alberta School Superintendents which is responsible for amongst other things, governance as well as professional conduct and competence.

The College is not allowed to negotiate employment agreements on behalf of its members and must not be a certified as bargaining agent as defined in the *Labour Relations Code*.

The Act establishes a Practice Review General Panel which consists of 15 panel members including 3 public members appointed by the Minister.

Upon direction from the Executive Director, Complainant Review Committee or Hearing Review Committee, the Practice Review General Panel must establish a hearing committee to hear a complaint or matter, appoint the members of the hearing committee from among the members of the practice review general panel, and designate a member of the hearing committee as the chair.

Even when there is no complaint, the Executive Director has the authority to make any preliminary inquiries that they consider appropriate. They may appoint an investigator and refer to the investigator any matter relating to a regulated member being unskilled or incompetent in carrying out leadership duties related to a leadership certificate or superintendent leadership certificate, or the alleged unprofessional conduct of a regulated member. Within 30 days after a complaint or matter has been referred by the Executive Director to an investigator, they must commence an investigation of the complaint or matter. The Investigator may request that any individual answer questions and produce any records or documents relevant to the investigation, and the Investigator may keep copies of any records or documents produced most suitable in the circumstances.

A Hearing Committee must make a written decision within 60 days after the conclusion of a hearing. The Executive Director or a regulated member who is the subject of a decision of a hearing committee may request a review by the Hearing Review Committee of a finding, order or recommendation of a Hearing Committee contained in that decision. In the case of a request for review made by the Executive Director, a request for review must be submitted in writing to the chair of the practice review general panel not more than 30 days after the date on which the Executive Director receives the decision of the Hearing Committee. In the case of a request for review made by a regulated member, a request for review must be submitted in writing to the chair of the practice review general panel 30 days after the date on which the decision of the hearing committee is served on the regulated member.

In Force: On proclamation

Bill 56 — *Local Measures Statutes Amendment Act, SA 2021 c11*

- Amended:**
- *Emergency 911 Act*, SA 2013, cE-7.5
 - *Local Government Fiscal Framework Act*, SA 2019, cL-21.5

Summary: The *Local Measures Statutes Amendment Act*

- extends the ambit of the location handling 911 calls under the *Emergency 911 Act*;
- extends funding under the Municipal Sustainability Initiative in the *Local Government Fiscal Framework Act* until 2023-2024;
- provides \$2.166 billion in capital funding to local government from 2021-22 to 2023-2024; and
- defers the implementation of the Local Government Fiscal Framework until 2024-25.

In Force: On various dates

Bill 57 — *Metis Settlements Amendment Act*

Amended: • *Metis Settlement Act, RSA 2000, cM-14*

Summary: The *Metis Settlements Amendment Act* reduces the size of the Métis Settlement General Council executive from four officers to two. No later than September 27, 2021, the Métis Settlement General Council must establish whether there will be one or 2 officers of the General Council elected in the first election of the General Council. Otherwise, one officer will be elected.

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

Beginning from July 4, 2021, each settlement council must pass a resolution establishing the size of the settlement council which will be selected in the general election. Otherwise, the settlement council will consist of 3 elected members. A settlement council may not change its size during the term of that settlement council.

On or before September 30 of every year, each settlement council must prepare a document titled "Report of Councillor Remuneration and Expenses" that sets out the remuneration paid and the expenses reimbursed to each councillor by the settlement council during the prior financial year, in accordance with generally accepted accounting principles. Remuneration includes any salaries, wages, commissions, bonuses, fees, honoraria and dividends and any other monetary or non-monetary benefit other than reimbursement of expenses. Expenses include the cost of transportation, accommodation, meals, hospitality and incidental expenses.

The Act requires settlement councils to adopt essential services bylaws providing for fees they will collect for utilities and road maintenance, as well as providing for the method by which the fees payable are to be calculated or assessed and collected, the persons by whom and when they are to be paid, any penalties or interest for non-payment or late payment of money payable and any discounts or other benefits for early payment.

In Force: On various dates

Bill 58 — *Freedom to Care Act*

Summary: The *Freedom to Care Act* provides liability protection for volunteers of non-profit organizations provided the volunteer was acting within the scope of responsibilities, was properly licensed, certified, or authorized - if required by law. The liability protection is not afforded to a volunteer who was committing an offence or unlawfully using or impaired by alcohol or drugs at the time of the incident complained about. The liability protection is also not afforded to a volunteer who caused the damage while operating a motor vehicle, vessel, aircraft or other vehicle for which the owner is required by law to maintain insurance.

A volunteer is entitled to costs on a solicitor-and-client basis where an action is brought against a volunteer for damages caused by an act or omission of the volunteer acting on behalf of a non-profit organization if the action does not result in a judgment against the volunteer.

In Force: September 1, 2021

LEGISLATIVE SUMMARY

Bill 59 — Appropriation (Supplementary Supply) Act

Summary: The *Appropriation (Supplementary Supply) Act* addresses charges and expenses of the Public Service (not otherwise provided for) for the fiscal year ending March 31, 2022.

In Force: March 26, 2021

Bill 60 — Appropriation Act

Summary: The *Appropriation Act* allows the Alberta Government to pay certain charges of the Legislative Assembly of Alberta and of the Public Service (not otherwise provided for) for the fiscal year ending March 31, 2021.

In Force: March 26, 2021

Bill 61 — Vital Statistics Amendment Act

Amended: • *Vital Statistics Act, SA 2021 c7*

Summary: The *Vital Statistics Amendment Act* amends the *Vital Statistics Act* so that persons who have been convicted of a designated offence or who have been designated as a dangerous or long-term offender in the *Criminal Code* are ineligible to legally change their name.

In Force: April 22, 2021, with sections 2(a), 5, 9 and 10 coming into force on June 23, 2021

Bill 62 — Red Tape Reduction Implementation Act

Amended:

- *Alberta Utilities Commission Act, SA 2007, cA-37.2*
- *Builders' Lien (Prompt Payment) Amendment Act, SA 2020, c30*
- *Business Corporations Act, RSA 2000, cB-9*
- *Employment Standards Code, RSA 2000, cE-9*
- *Family Protection Act, RSA 2000, cF-4.7*
- *Fatal Accidents Act, RSA 2000, cF-8*
- *Real Estate Act, RSA 2000, cR-5*
- *Securities Act, RSA 2000, cS-4*
- *Travel Alberta Act, SA 2008, cT-6.5*

Summary: The *Red Tape Reduction Implementation Act* amends

- the *Alberta Utilities Commission Act* to issue decisions according to its rules;
- the *Builders' Lien (Prompt Payment) Amendment Act*
 - by extending the Act to a prescribed class of professionals acting in a consultative capacity
 - so that a person issuing a certificate of substantial performance must ensure that the persons working or furnishing materials have a reasonable opportunity of seeing the certificate within 3 days from the date of issuing the certificate. Otherwise, the person issuing the certificate is liable for legal and other costs and damages incurred by and resulting to a person by reason of the non-compliance; and change the adjudication of disputes to litigation if
 - change the adjudication of disputes to litigation if a party commences and action in court with respect to the dispute. An application for judicial review of the determination of an adjudicator shall be filed with the court and served no later than 30 days from the date of the notice of determination.

- the *Business Corporations Act* to allows the Alberta Securities Commission (“ASC”) to make an Order respecting any class or classes of persons, companies, corporations, distributions or securities relating to any matter in respect of which the ASC is permitted to make a determination if the ASC is satisfied that the order would not prejudice any security holder of a corporation whose securities are distributed under that order.
- the *Employment Standards Code* by removing the requirement for the daily recording of an employee’s hours of work.
- the *Fatal Accidents Act* by allowing public online access to reports regarding reviews of bereavement damages caused by fatal accidents. the *Builders’ Lien (Prompt Payment) Amendment Act*
- the *Family Property Act* by replacing application of repealed wills and succession legislation with regard to whom a
 - judgment of divorce is granted,
 - declaration of nullity of marriage is made,
 - judgment of judicial separation is granted, or
 - declaration of irreconcilability under the *Family Law Act* is obtained
- the *Securities Act* by
 - increasing the deadline for an appeal to be commenced by filing a notice of appeal with the Court of Appeal within 45 days after the day a decision is made;,
 - allows the ASC to designate in writing, an applicant as a designated information if the ASC considers that it would not be prejudicial to the public interest to do so.
 - prohibits aiding, abetting and counselling a person or company to contravene Alberta securities laws.
- the *Real Estate Act* by outlining and clarifying the criteria, terms and election processes for the Real Estate Council of Alberta and Industry Councils. The Minister must approve of rules or bylaws and their amendments. Board members may be initially appointed for up to 3 years, and up to 3 years subsequent reappointments. No person may serve as a Board member for more than 6 years of consecutive service and 12 years.

In Force: On various dates

Bill 63—Police (Street Checks and Carding) Amendment Act

Amended: • *Police Act*, RSA 2000, cP-17

Summary: The *Police (Street Checks and Carding) Amendment Act* amends the *Police Act* and gives every police officer the authority to collect, record, retain, store, use and disclose information, including personal information, voluntarily provided by a member of the public, obtained as a result of a non-detention, non-arrest interaction with a police officer if the information is obtained in the course of

- (a) crime prevention activities;
- (b) gathering information for the purpose of intelligence related to individuals known or reasonably suspected to be engaged in illegal activities;
- (c) inquiring into offences;
- (d) inquiring into suspicious activities that may lead to detecting illegal activities; or
- (e) another lawful law enforcement activity.

LEGISLATIVE SUMMARY

Although the Act prohibits police officers from “carding” which is any attempt to collect information from someone based on a discriminatory ground or the police officer’s perception that the member of the public has a characteristic associated with a prohibited ground of discrimination or a person’s socio-economic status, such prohibited ground of discrimination or socio-economic status may form part of the reason for the attempt to collect information in the search for a specific individual.

In Force: On various dates

Bill 64 — Public Lands Amendment Act

Amended: • *Public Lands Amendment Act*, RSA 2000, cP-40

Summary: The *Public Lands Amendment Act* authorizes the Minister of Environment and Parks to collect fees for the use of, occupation of, and for activities on public land.

In Force: May 27, 2021

Bill 65 — Health Statutes Amendment Act

Amended: • *Alberta Evidence Act*, RSA 2000, cA-18
• *Crown’s Right of Recovery Act*, SA 2009, cC-35
• *Health Professions Act*, RSA 2000, cH-7
• *Health Statutes Amendment Act*, 2020 (No. 2), SA 2020, c35
• *Mental Health Act*, RSA 2000, cM-13
• *Mental Health Amendment Act*, SA 2020, c15
• *Pharmacy and Drug Act*, RSA 2000, cP-13

Summary: The *Health Statutes Amendment Act* amends several statutes.

In addition to providing that custodians may disclose individually identifying diagnostic, treatment and care information without the consent of the individual who is the subject of the information to any person if the custodian believes, on reasonable grounds that the disclosure will avert or minimize a risk of harm to the health or safety of a minor, or an imminent danger to the health or safety of any person, the Act allows for disclosure where a significant risk of harm to the health or safety of any person exists.

The Commissioner may refuse to conduct an inquiry if “*the circumstances warrant deciding not to conduct an inquiry*” following review if the subject has been dealt with in an order or investigation report of the Commissioner.

The Act introduces higher fines for offences outlined in the *Health Information Act*, including a fine of not more than \$200,000 for individuals and a fine of not more than \$1,000,000 in the case of any other person.

In Force: June 17, 2021, except sections 1, 3 and 7, which come into force on proclamation

Bill 66 — Public Health Amendment Act

Amended: • *Public Health Act, RSA 2000, cP-37*

Summary: The *Public Health Amendment Act* amends the *Public Health Act* to among other things, repeal the authorization of the powers previously granted to the minister to the Lieutenant Governor in Council to modify or suspend legislation by order.

The Act also establishes the qualifications of the Chief Medical Officer of Health. The Chief Medical Officer must:

- a. be a physician,
- b. have a certificate, diploma or degree in public health, or training and practical experience that in the Minister's opinion is equivalent to a certificate, diploma or degree in public health, and
- c. be a fellow of the Royal College of Physicians and Surgeons of Canada.

The Deputy Chief Medical Officer qualifications will be as set out in the regulations.

The Ministry of Health is required to retain and dispose of a traveller's isolation questionnaire in accordance with the approved records and disposition schedule prepared by the Ministry under the Records Management Regulation.

An Executive Officer may, at any reasonable hour, enter in or on the public place that is the subject of the inspection and require any person to provide the name and contact information of any owner of the public place.

In Force: On proclamation, with exceptions.

Bill 67 — Skilled Trades and Apprenticeship Education Act

Amended: • *Companies Act, RSA 2000, cC-21*
 • *Conflicts of Interest Act, RSA 2000, cC-23*
 • *Consumer Protection Act, RSA 2000, cC-26.3*
 • *Fair Registration Practices Act, SA 2019, cF-1.5*
 • *Professional and Occupational Associations Registration Act, RSA 2000, cP-26*
 • *Workers' Compensation Act, RSA 2000, cW-15*

Repealed: • *Apprenticeship and Industry Training Act, RSA 2000, cA-42*

Summary: The *Skilled Trades and Apprenticeship Education Act* repeals the *Apprenticeship and Industry Training Act* and allows the Minister to establish programs with classroom instruction and on-the-job instruction in particular occupational fields, engage post-secondary institutions to provide the classroom instruction components of apprenticeship education programs, and establish credentials that may be issued to individuals who successfully complete an apprenticeship education program.

The Minister may establish programs to provide individuals with training in particular occupational fields, engage or approve persons or entities to provide training to trainees in industry training programs, and establish credentials that may be issued to individuals who successfully complete an industry training program.

The Minister also has the power to disestablish apprenticeship education and industry training programs at any time.

LEGISLATIVE SUMMARY

The Minister may appoint a Registrar whose powers and functions are outlined in the Act. The Minister may also make regulations designating trades in respect of which a trade certificate may be issued.

The Minister must appoint the Alberta Board of Skilled Trades (“The Board”) which will consist of up to 15 individuals knowledgeable with respect to the contribution of skilled trades professions to Alberta’s economic sectors and the needs of the Alberta labour market for skilled and trained individuals.

In Force: On proclamation

Bill 68 — *Election Statutes Amendment Act*

Amended:

- *Education Act*, SA 2012, cE-0.3
- *Election Act*, RSA 2000, cE-1

Summary: The Act amends the *Education Act* to allow for the expansion of eligibility for trustees in the francophone regional school authorities.

The Act also clarifies that a Member of the Legislative Assembly can express their views on subject matters of referendums.

In Force: On proclamation, except section 1, which has effect January 1, 2021

Bill 69 — *Miscellaneous Statutes Amendment Act*

Amended:

- *Traffic Safety Act*, RSA 2000, cT-6
- *Employment Standards Code*, RSA 2000, cE-9
- *Public Trustee Act*, SA 2004, cP-44.1
- *Municipal Government Act*, RSA 2000, cM-26
- *Oil and Gas Conservation Act*, RSA 2000, cO-6
- *Dangerous Goods Transportation and Handling Act*, RSA 2000, cD-4
- *Companies Act*, RSA 2000, cC-21
- *Family Support for Children with Disabilities Act*, SA 2003, cF-5.3
- *Income and Employment Supports Act*, SA 2003, cI-0.5
- *Special Areas Act*, RSA 2000, cS-16
- *Commercial Tenancies Protection Act*, SA 2020, cC-19.5
- *Alberta Investment Attraction Act*, SA 2020, cA-26.4
- *Restoring Balance in Alberta’s Workplaces Act*, SA 2020, c28
- *Public Service Employee Relations Amendment Act*, SA 2018, c21

Summary: Most of the amendments made by the *Miscellaneous Statutes Amendment Act* are housekeeping changes to a number of acts.

In Force: On various dates

Bill 70 — *COVID-19 Related Measures Act*

Summary: The *COVID-19 Related Measures Act* provides liability protection for health services facility, regional health authority or persons regarding damages due to COVID-19 spread or exposure on or after March 1, 2020, as long as they acted in good faith or in accordance with the law. Protection would not apply in the event of gross negligence.

The Act applies to:

- health service facility, including an owner, operator, director, officer, employee, contractor and subcontractor of a health service facility;
- a regional health authority, including a member, officer, employee, agent, contractor and subcontractor of a regional health authority;
- a regulated member as defined in the *Health Professions Act*, including an employee, contractor and subcontractor of a regulated member; and
- any other facility, person or class of persons prescribed in the regulations.

In Force: March 1, 2020

Bill 71 — *Employment Standards (COVID-19 Vaccination Leave) Amendment Act*

Amended: • *Employment Standards Code*, RSA 2000, cE-9

Summary: The *Employment Standards Code* has been amended to allow all full and part-time employees covered by the *Employment Standards Code* to access paid, job-protected leave to get the COVID-19 vaccine.

If an employee requests, employers may choose to provide additional time beyond the 3 hours.

Employees must provide notice of such appointments to their employers as soon as reasonable and practicable.

Employees do not have to provide medical certificates or records of immunization in order to access this job-protected leave or to disclose any health information about underlying conditions.

In Force: April 21, 2021

Bill 72 — *Preserving Canada's Economic Prosperity Act*

Repealed: • *Preserving Canada's Economic Prosperity Act*, SA 2018 cP-21.5

Summary: The *Preserving Canada's Economic Prosperity Act* requires companies to obtain an export license before exporting natural gas and crude oil from Alberta.

The Minister may by order suspend, revoke or amend a license if the Minister determines that it is in the public interest of Alberta to do so, having regard to the whether adequate pipeline capacity exists to maximize the return on crude oil and diluted bitumen produced in Alberta, and whether adequate supplies and reserves of natural gas and crude oil will be available for Alberta's needs..

No action may be commenced against the Minister, the Crown or any employee or agent of either of them for anything done or omitted to be done in good faith while carrying out any duties or exercising any powers under this Act or the regulations..

Contraventions of the Act, regulations, terms or conditions of licenses or an order or direction of the Minister may result in fines up to \$10 million per day for companies and \$1 million per day for individuals.

In Force: May 1, 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.



THE CANADIAN
BAR ASSOCIATION
Alberta Branch

2020 — 2021 LEGISLATIVE REVIEW COMMITTEE

EDMONTON COMMITTEE

LEGISLATIVE REVIEW OFFICER/CHAIR

Omolara Oladipo

.....

Heidi Besuijen
Jordan Birenbaum
Gordon Buck
Amanda Coleman
Debra Curcio Lister
Christopher J. Felling
Nigel Forster
Frank Friesacher
Stephen Harfield
Nancy Jacobsen
Hawah Tembo
Bani Ohri
Megan Lee Perry
Rupak Sarma
Angela Springate
Ian L. Wachowicz

CALGARY COMMITTEE

CHAIR

Bernard J. Roth

.....

Scott Bower
Suchetna Channan
Royce Henning
Matti Lemmens
Dennis McDermott, Q.C.
Ejeme Okhiria
Clifford Shaw, Q.C.
Deirdre Sheehan
Tracey Stock
Jeffrey Thom, Q.C.

Alberta **LAW**
FOUNDATION



THE CANADIAN
BAR ASSOCIATION
Alberta Branch