



# LEGISLATIVE REVIEW SUMMARY

SPRING 2022 | 30TH LEGISLATURE, THIRD SESSION

Alberta **LAW**  
FOUNDATION



THE CANADIAN  
BAR ASSOCIATION  
Alberta Branch

# LEGISLATIVE REVIEW SUMMARY

## SPRING 2022 | 30TH LEGISLATURE, THIRD SESSION

### HIGHLIGHTS

The 2022 Spring seating of the Legislature resulted in the passage of the following Acts:

1. *Queen Elizabeth II Platinum Jubilee Recognition Act*, SA 2022 cQ-0.7
2. *Financial Statutes Amendment Act*, SA 2022 c4
3. *Special Days Act*, SA 2022 cS-16.3
4. *Municipal Government (Face Mask and Proof of COVID-19 Vaccination Bylaws) Amendment Act*, SA 2022 c5
5. *Traffic Safety Amendment Act*, SA 2022 c6
6. *Emblems of Alberta Amendment Act*, SA 2022 c3
7. *Appropriation Act*, SA 2022 c1
8. *Appropriation (Supplementary Supply) Act*, SA 2022 c2
9. *Public's Right to Know Act*, SA 2022 cP-47
10. *Health Professions (Protecting Women and Girls) Amendment Act*, SA 2022 c9
11. *Continuing Care Act*, SA 2022 cC-26.7
12. *Trustee Act*, SA 2022 cT-8.1
13. *Financial Innovation Act*, SA 2022 cF-13.2
14. *Provincial Court (Sexual Awareness Training)*, SA 2022 c15
15. *Education (Reforming Teacher Profession Discipline) Amendment Act*, SA 2022 c7
16. *Insurance Amendment Act*, SA 2022 c11
17. *Labour Statutes Amendment Act*, SA 2022 c13
18. *Utility Commodity Rebate Act*, SA 2022 cU-3.5
19. *Justice Statutes Amendment Act*, SA 2022 c12
20. *Red Tape Reduction Statutes Amendment Act*, SA 2022 c16
21. *Electricity Statutes (Modernizing Alberta's Electricity Grid) Amendment Act*, SA 2022 c8
22. *Miscellaneous Statutes Amendment Act*, SA 2022 c14

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### AMENDED LEGISLATION:

- *Adult Guardianship and Trusteeship Act*, SA 2008 cA-4.2
- *Alberta Corporate Tax Act*, RSA 2000 cA-15
- *Alberta Evidence Act*, RSA 2000 cA-18
- *Alberta Health Care Insurance Act*, RSA 2000 cA-20
- *Alberta Personal Income Tax Act*, RSA 2000 cA-30

- *Alberta Utilities Commission Act*, SA 2007 cA-37.2
- *Animal Health Act*, SA 2007 cA-40.2
- *ATB Financial Act*, RSA 2000, cA-45.2
- *Captive Insurance Companies Act*, SA 2021 cC-2.4
- *Child, Youth and Family Enhancement Act*, RSA 2000 cC-12
- *College of Alberta School Superintendents Act*, SA 2021 cC-18.8
- *Consumer Protection Act*, RSA 2000, cC-26.3
- *Cooperatives Act*, SA 2001 cC-28.1
- *Corrections Act*, RSA 2000 cC-29
- *COVID-19 Related Measures Act*, SA 2021 cC-31.3
- *Credit Union Act*, RSA 2000, cC-32
- *Dairy Industry Act*, RSA 2000 cD-2
- *Education Act*, SA 2012 cE-0.3
- *Education Statutes (Students First) Amendment Act*, SA 2021 c19
- *Electric Utilities Act*, SA 2003 cE-5.1
- *Emblems of Alberta Act*, RSA 2000 cE-6
- *Emissions Management and Climate Resilience Act*, SA 2003 cE-7.8
- *Employment Standards Code*, RSA 2000 cE-9
- *Family and Community Support Services Act*, RSA 2000 cF-3
- *Financial Administration Act*, RSA 2000 cF-12
- *Freedom of Information and Protection of Privacy Act*, RSA 2000 cF-25
- *Fuel Tax Act*, SA 2006 cF-28.1
- *Government Organization Act*, RSA 2000 cG-10
- *Health Information Act*, RSA 2000 cH-5
- *Health Professions Act*, RSA 2000 cH-7
- *Health Statutes Amendment Act*, 2020 (No.2)
- *Health Statutes Amendment Act*, SA 2021 c10
- *Highways Development and Protection Act*, SA 2004 cH-8.5
- *Hospitals Act*, RSA 2000 cH-12
- *Hydro and Electric Energy Act*, RSA 2000 cH-16
- *Insurance Act*, RSA 2000 cI-3
- *International Trade and Investment Agreements Implementation Act*, RSA 2000 cI-7
- *Interpretation Act*, RSA 2000 cI-8
- *Justice of the Peace Act*, RSA 2000 cJ-4
- *Labour Relations Code*, RSA 2000 cL-1
- *Legislative Assembly Act*, RSA 2000 cL-9
- *Loan and Trust Corporations Act*, RSA 2000, cL-20
- *Local Authorities Election Act*, RSA 2000 cL-21
- *Marketing of Agricultural Products Act*, RSA 2000 cM-4
- *Marriage Act*, RSA 2000 cM-5
- *Mental Health Act*, RSA 2000 cM-13
- *Metis Settlements Act*, RSA 2000 cM-14
- *Missing Persons Act*, SA 2011 cM-18.5
- *Motor Vehicle Accident Claims Act*, RSA 2000 cM-22
- *Municipal Government Act*, RSA 2000 cM-26
- *Occupational Health and Safety Act*, SA 2020 cO-2.2
- *Opioid Damages and Health Care Costs Recovery Act*, SA 2019 cO-8.5
- *Personal Information Protection Act*, SA 2003 cP-6.5
- *Pharmacy and Drug Act*, RSA 2000 cP-13

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- *Post-secondary Learning Act*, SA 2003 cP-19.5
- *Powers of Attorney Act*, RSA 2000 cP-20
- *Protection for Persons in Care Act*, SA 2009 cP-29.1
- *Provincial Court Act*, RSA 2000 cP-31
- *Provincial Parks Act*, RSA 2000 cP-35
- *Public Health Act*, RSA 2000 cP-37
- *Public Inquiries Act*, RSA 2000 cP-39
- *Public Lands Act*, RSA 2000 cP-40
- *Public Transit and Green Infrastructure Project Act*, SA 2019 cP-43.8
- *Public Trustee Act*, SA 2004 cP-44.1
- *Queen Elizabeth II Platinum Jubilee Recognition Act*, SA 2022 cQ-0.7
- *Railway (Alberta) Act*, RSA 2000 cR-4
- *Recall Act*, SA 2021 cR-5.7
- *Residential Tenancies Act*, SA 2004 cR-17.1
- *Rural Utilities Act*, RSA 2000 cR-21
- *Safety Codes Act*, RSA 2000 cS-1
- *Skilled Trades and Apprenticeship Education Act*, SA 2021 cS-7.88
- *Societies Act*, RSA 2000 cS-14
- *Student Financial Assistance Act*, SA 2002 cS-20.5
- *Surface Rights Act*, RSA 2000 cS-24
- *Surveys Act*, RSA 2000 cS-26
- *Teaching Profession Act*, RSA 2000 cT-2
- *Tobacco Tax Act*, RSA 2000 cT-4
- *Tobacco, Smoking and Vaping Reduction Act*, SA 2005 cT-3.8
- *Tourism Levy Act*, RSA 2000 cT-5.5
- *Traffic Safety Act*, RSA 2000 cT-6
- *Victims of Crime and Public Safety Act*, RSA 2000 cV-3
- *Vital Statistics Act*, SA 2007 cV-4.1
- *Youth Justice Act*, RSA 2000 cY-1

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## REPEALED LEGISLATION:

- *Long Term Care Information Act*, SA 2018 cL-22
- *Natural Gas Price Protection Act*, SA 2001 cN-1.5
- *Nursing Homes Act*, RSA 2000 cN-7
- *Queen Elizabeth II Golden Jubilee Recognition Act*, SA 2002 cQ-0.5
- *Resident and Family Councils Act*, SA 2017 cR-16.7
- *Supportive Living Accommodation Licensing Act*, SA 2009 cS-23.5
- *Trustee Act*, RSA 2000 cT-8

## DETAILED LISTING OF BILLS

### BILL 1 — *QUEEN ELIZABETH II PLATINUM JUBILEE RECOGNITION ACT, SA 2022 cQ-0.7*

**Amended:** • *Student Financial Assistance Act, SA 2002 cS-20.5*

**Repealed:** • *Queen Elizabeth II Golden Jubilee Recognition Act, SA 2002 cQ-0.5*

**Summary:** The *Queen Elizabeth II Platinum Jubilee Recognition Act* establishes the following awards and scholarships to individuals who have made significant contribution to society:

- Queen’s Platinum Jubilee Citizenship Award (number of awards to be outlined in the regulations) with the monetary prizes in the amount of \$7,000 each;
- Queen’s Platinum Jubilee Scholarships for Visual and Performing Arts (two scholarships per year); and
- Premier’s Citizenship Award in Recognition of the Queen’s Platinum Jubilee (one award per year) with the monetary prizes in the amount of \$7,000 each.

The Act also establishes a one-time Queen’s Platinum Jubilee Medal award to 7,000 individuals who made significant contributions to society.

The Act designates all living former members of the Executive Council as Honorary Members upon their retirement.

**In Force:** On proclamation

### BILL 2 — *FINANCIAL STATUTES AMENDMENT ACT, SA 2022 c4*

**Amended:** • *Alberta Corporate Tax Act, RSA 2000 cA-15*  
 • *Alberta Health Care Insurance Act, RSA 2000 cA-20*  
 • *Alberta Personal Income Tax Act, RSA 2000 cA-30*  
 • *Emissions Management and Climate Resilience Act, SA 2003 cE-7.8*  
 • *Financial Administration Act, RSA 2000 cF-12*  
 • *Fuel Tax Act, SA 2006 cF-28.1*  
 • *Public Transit and Green Infrastructure Project Act, SA 2019 cP-43.8*  
 • *Tobacco Tax Act, RSA 2000 cT-4*  
 • *Tourism Levy Act, RSA 2000 cT-5.5*

**Summary:** The *Financial Statutes Amendment Act* amends multiple pieces of legislation including making consequential amendments to the *Alberta Personal Income Tax Act*, the *Alberta Corporate Tax Act*, the *Fuel Tax Act*, the *Tobacco Tax Act* and the *Tourism Levy Act*. Amongst other amendments,

- “Smokeless tobacco” i.e., tobacco that is not smoked or heated, but is used in another form, including chewing tobacco and snuff will now be taxed to the consumer at the rate of 27.5 cents per or part of a gram.
- Online marketplaces, i.e., digital accommodation platforms must collect and remit the provincial tourism levy on behalf of the Alberta government and are deemed to have collected the levy regardless of whether or not they are registered under the Act.

The Act repeals the authority of the Minister to issue loan guarantees in the *Emissions Management and Climate Resilience Act*.

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The Act also amends the *Alberta Health Care Insurance Act* among other things, to establish a new regulation-making authority for setting coverage eligibility for health benefits delivered by allied health providers.

The Act amends the *Public Transit and Green Infrastructure Project Act* and General Regulation by extending the time for provincial funding to Calgary for the construction of the light rail transit Line from 2027-2028 to 2029-30.

The Act further amends the *Financial Administration Amendment Act* by authorizing the President of Treasury Board and the Minister to raise money by mandating a fund administrator, Provincial corporation or any other person whose financial results are included in the consolidated financial statements of the Province to deposit its surplus cash with a financial institution determined by the Minister, and that such deposits may be used by the Crown for any purpose.

**In Force:** Various

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## **BILL 3 — SPECIAL DAYS ACT, SA 2022 cS-16.3**

**Summary:** The *Special Days Act* authorizes ministerial orders which recognize special dates, occasions or events. It also recognizes dates that have been previously declared or observed under other enactments. In the event of any inconsistency between the Act and other enactment, the Act prevails.

**In Force:** March 24, 2022

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## **BILL 4 — MUNICIPAL GOVERNMENT (FACE MASK AND PROOF OF COVID-19 VACCINATION BYLAWS) AMENDMENT ACT, SA 2022 c5**

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

**Summary:** The *Municipal Government (Face Mask and Proof of COVID-19 Vaccination Bylaws) Amendment Act* limits municipal councils' authority to enact face mask and proof of COVID-19 vaccination bylaws, unless the municipality receives ministerial approval for the bylaw. Specifically, the Act prevents municipalities from enacting bylaws or bylaw amendments which require an individual to either:

- Wear a face mask/covering for the purpose of preventing the spread of COVID-19 or any other communicable disease; or
- Provide proof of vaccination against COVID-19 or a negative COVID-19 test upon entering a premises.

The Act automatically repeals any bylaws which requires the foregoing although it does not invalidate any enforcement efforts made under face mask or proof of vaccination bylaws when they were in force.

The Act does not apply to a bylaw which applies only to property owned or leased and operated by a municipality.

The Minister is required to consider public interest and to consult with the Chief Medical Officer of Health in determining whether to approve a new face mask or proof of vaccine bylaw.

**In Force:** April 21, 2022

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**BILL 5 — TRAFFIC SAFETY AMENDMENT ACT, SA 2022 c6**

**Amended:** • *Traffic Safety Act*, RSA 2000 cT-6

**Summary:** The *Traffic Safety Amendment Act* provides that when a vehicle is stopped with its flashing lights operating, motorists are required to slow down to 60 km/h or the posted speed limit, whichever is lower, in all lanes traveling in the same direction on multi-lane highway, and slow down to 60 km/h or the posted speed limit, whichever is lower, when traveling in either direction on single lane highways.

**In Force:** On proclamation

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**BILL 6 — EMBLEMS OF ALBERTA AMENDMENT ACT, SA 2022 c3**

**Amended:** • *Emblems of Alberta Act*, RSA 2000 cE-6

**Summary:** The *Emblems of Alberta Amendment Act* designates ammolite as the Province's official gemstone.

**In Force:** April 21, 2022

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**BILL 7 — APPROPRIATION ACT, SA 2022 c1**

**Summary:** The *Appropriation Act* addresses charges and expenses of the Public Service (not otherwise provided for) during the fiscal year ending March 31, 2023.

**In Force:** March 24, 2022

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**BILL 8 — APPROPRIATION (SUPPLEMENTARY SUPPLY) ACT, SA 2022 c2**

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

**In Force:** March 24, 2022

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## **BILL 9 — PUBLIC'S RIGHT TO KNOW ACT, SA 2022 cP-47**

**Summary:** The *Public's Right to Know Act* requires the Minister to table a report annually before the Legislative Assembly, as soon as practicable if the Legislative Assembly is sitting or, if it is not sitting, within 15 days after the commencement of the next sitting regarding crime data and information about the criminal justice system. The Minister must publish the report on the website of the Minister's department within 30 days after it is laid before the Legislative Assembly.

The Act authorizes information-sharing agreements with the federal government, municipalities, other provinces and territories, council of bands and police services for the provision of data and information.

**In Force:** On proclamation

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## **BILL 10 — HEALTH PROFESSIONS (PROTECTING WOMEN AND GIRLS) AMENDMENT ACT, SA 2022 c9**

**Amended:** • *Health Professions Act*, RSA 2000 cH-7

**Summary:** The *Health Professions (Protecting Women and Girls) Amendment Act* amends the *Health Professions Act* by:

- Mandating the removal of health professionals who are convicted of performing, offering or facilitating female genital mutilation in Alberta from practice; and
- Prohibiting persons who have been convicted elsewhere of criminal offences related to the procurement or performance of female genital from practicing in Alberta.

Within 12 months after the later of the coming into force the amendment, and the coming into force of the schedule to the Act that governs the College, councils must develop and propose standards of practice respecting female genital mutilation. The councils of the Colleges must adopt the standards.

**In Force:** May 31, 2022

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## **BILL 11 — CONTINUING CARE ACT, SA 2022 cC-26.7**

**Amended:**

- *Alberta Evidence Act*, RSA 2000 cA-18
- *COVID-19 Related Measures Act*, SA 2021 cC-31.3
- *Freedom of Information and Protection of Privacy Act*, RSA 2000 cF-25
- *Government Organization Act*, RSA 2000 cG-10
- *Health Information Act*, RSA 2000 cH-5
- *Health Professions Act*, RSA 2000 cH-7
- *Health Statutes Amendment Act*, 2020 (No. 2), if it comes into force before various sections of the *Continuing Care Act*
- *Hospitals Act*, RSA 2000 cH-12
- *Insurance Act*, RSA 2000 cI-3
- *Mental Health Act*, RSA 2000 cM-13
- *Opioid Damages and Health Care Costs Recovery Act*, SA 2019 cO-8.5
- *Protection for Persons in Care Act*, SA 2009 cP-29.1
- *Public Health Act*, RSA 2000 cP-37

- *Public Inquiries Act*, RSA 2000 cP-39
- *Residential Tenancies Act*, SA 2004 cR-17.1
- *Tobacco, Smoking and Vaping Reduction Act*, SA 2005 cT-3.8
- *Tourism Levy Act*, RSA 2000 cT-5.5

- Repealed:**
- *Public Inquiries Act*, RSA 2000 cP-39
  - *Residential Tenancies Act*, SA 2004 cR-17.1
  - *Tobacco, Smoking and Vaping Reduction Act*, SA 2005 cT-3.8
  - *Tourism Levy Act*, RSA 2000 cT-5.5

**Summary:** The *Continuing Care Act* repeals and replaces the *Long Term Care Information Act*, the *Nursing Homes Act*, the *Resident and Family Councils Act*, and the *Supportive Living Accommodation Licensing Act* as the legislation for continuing care.

Practitioners are advised to review the *Continuing Care Act* to determine how the new comprehensive Act affects their practice.

**In Force:** On Proclamation

**BILL 12 — TRUSTEE ACT, SA 2022 cT-8.1**

- Amended:**
- *Adult Guardianship and Trusteeship Act*, SA 2008 cA-4.2
  - *Powers of Attorney Act*, RSA 2000 cP-20
  - *Public Trustee Act*, SA 2004 cP-44.1

- Repealed:**
- *Trustee Act*, RSA 2000 cT-8

**Summary:** The *Trustee Act* which repealed and replaced the *Trustee Act* of 2000 and amongst other things, recognizes charitable and non-charitable purpose trusts and provides a procedure for varying the terms of a trust.

Pursuant to the new Act, where a trust does not appoint an alternate trustee and the trustee is temporarily unable to participate in the administration of the trust by reason of an absence or incapacity which does not necessarily disqualify the trustee under the Act, they may appoint a temporary trustee to take over their duties. A designated person may appoint a temporary trustee if the trustee is unable or unwilling to do so.

Within 15 days of the appointment or revocation of a temporary trustee, a written notice must be delivered to all trustees, all qualified beneficiaries and the person making the appointment.

A temporary trustee may be liable for any loss to trust property arising from the temporary trustee's acts or omissions when exercising trustee powers or performing trustee duties.

If a trust instrument reserves the power to any person or designate to vary or terminate a trust, a court application is not required to vary the terms of the trust.

The Act imposes a duty of care on trustees, a duty to report accounts or trust information on request by a beneficiary, within a reasonable period of time. The Act also imposes a standard of care when investing, and a duty to act impartially and prudently between all beneficiaries and in the administration of a trust.

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The Act outlines a process for the removal of an unfit trustee and to allow a trustee to resign.

The Act authorizes trustees to buy and sell trust property, including to sell and lease real property. A trustee may also borrow trust property or grant a security interest in trust property. A trustee may utilize trust income or capital to provide residence to a beneficiary.

The Act abolishes

1. The rule of law for the assessment of damages for breach of trust that prohibits losses from being offset by gains;
2. The rule of law that requires the assessment of a trustee's decisions on an investment-by-investment basis; and
3. The common law rules of apportionment.

**In Force:** On Proclamation

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## **BILL 13 — FINANCIAL INNOVATION ACT, SA 2022 cF-13.2**

**Amended:**

- *Loan and Trust Corporations Act*, RSA 2000, cL-20
- *Credit Union Act*, RSA 2000, cC-32
- *ATB Financial Act*, RSA 2000, cA-45.2
- *Consumer Protection Act*, RSA 2000, cC-26.3
- *Personal Information Protection Act*, SA 2003, cP-6.5
- *Financial Consumers Act*, RSA 2000, cF-13

**Summary:** The *Financial Innovation Act* created a regulatory Sandbox which is the framework that allows a Sandbox participant to develop or test the viability of an innovative financial product or service.

The Act authorizes the Minister to issue a certificate of acceptance to approved companies upon application. The Minister must decide whether to issue a certificate of acceptance within 90 days of receipt of a completed application and either issue a certificate or notify an applicant of the decision not to issue a certificate. The Minister may also extend the deadline in a written notice to an applicant.

Companies that participate in the Sandbox may be exempt from some or all of the legal requirements set out in each of the *Loan and Trust Corporations Act*, the *Credit Union Act*, the *ATB Financial Act*, the *Consumer Protection Act*, the *Personal Information Protection Act*, and the *Financial Consumers Act*.

Exemptions to the *Personal Information Protection Act* must be approved by the Information and Privacy Commissioner. Exemptions would also require that terms and conditions be agreed on by the Minister and the Information and Privacy Commissioner.

To participate in the Sandbox, companies must meet the following criteria:

- Maintain a physical presence in Alberta;
- Be in the business of providing a financial product or service;
- Intend to offer an innovative financial product or service; and
- Provide a proposed business plan that includes a description of an applicant's plans for testing a financial product or service in the Sandbox and for exiting the Sandbox.

In addition to the foregoing criteria, the President of Treasury Board and Minister of Finance must issue certificates of acceptance to applicants who in the Minister's opinion:

- Offer a financial product or service that provides a net benefit to the public;
- Has directors and officers or, if applicable, has directors and officers of its corporate partners, that are fit as to character and as to competence;
- Demonstrates reasonable consumer protection arrangements;
- Will operate in a safe and sound manner; and
- Meets any additional criteria prescribed by the regulation.

A certificate of acceptance must outline any legislative exemptions granted to the approved Sandbox participant, terms, conditions and restrictions imposed on the participant as well as the issue date and expiry date of the certificate of acceptance.

The Minister may impose or amend terms, conditions or restrictions on a company's certificate of acceptance. Such terms, conditions and restrictions may include requirements:

- To engage qualified and expert third party consultants or auditors;
- Regarding transaction limits, such as number of customers;
- Regarding capital;
- Regarding insurance;
- Regarding security or surety;
- Regarding risk management policies and procedures;
- Regarding a consumer complaints mechanism; or
- Other consumer protection, including any required disclosure.

Sandbox participants will be required to submit an annual return to the government for every year they participate in the Sandbox, and for the year following their time in the Sandbox. The annual return must be submitted not later than three months following each annual anniversary date of the Sandbox participant's certificate of acceptance.

Sandbox participants will also be required to maintain a number of corporate and financial records in relation to the period commencing with the Sandbox participant's application and ending one year from the expiry, revocation or cancellation of the Sandbox participant's certificate of acceptance. The corporate and financial records must be maintained for five years from the expiry, revocation or cancellation of the Sandbox participant's certificate of acceptance.

The Minister may appoint someone to conduct an examination of a Sandbox participant, its corporate partners, directors or officers.

A person is guilty of an offence if they contravene any provision of the Act or regulations under the Act, or an order or direction made according to the Act. This includes failing to comply with the terms, conditions or restrictions on a company's certificate of acceptance. Fines for offences under the Act may be up to \$100,000 for the first conviction and \$200,000 for each subsequent conviction.

The Minister must publish the following information on a government website or by any other means the Minister considers appropriate:

- The name of each Sandbox participant;
- A description of the product or service which each Sandbox participant is offering through the Sandbox;
- A list of regulatory exemptions provided to each Sandbox participant;
- Any terms, conditions or restrictions imposed by the Minister on a Sandbox participant;
- The expiry date (including any extension) of each participant's certificate of acceptance; and
- Any amendment, revocation or cancellation of a certificate of acceptance.

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The foregoing information must remain available to the public until one year after the Sandbox participant's time in the Sandbox has ended.

**In Force:** On Proclamation

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## **BILL 14 — PROVINCIAL COURT (SEXUAL AWARENESS TRAINING) AMENDMENT ACT, SA 2022 c15**

**Amended:** • *Provincial Court Act*, RSA 2000 cP-31

**Summary:** The *Provincial Court (Sexual Awareness Training) Amendment Act* requires provincial court judge applicants to complete sexual assault law and social context issues education. If an individual is on the appointment eligibility list at the time that the legislation came into force, they may be appointed as a judge if they undertook to complete education in sexual assault law and social context issues after being appointed.

**In Force:** On Proclamation

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## **BILL 15 — EDUCATION (REFORMING TEACHER PROFESSION DISCIPLINE) AMENDMENT ACT, SA 2022 c7**

**Amended:** • *College of Alberta School Superintendents Act*, SA 2021 cC-18.8  
• *Education Act*, SA 2012 cE-0.3  
• *Education Statutes (Students First) Amendment Act*, SA 2021 c19  
• *Teaching Profession Act*, RSA 2000 cT-2

**Summary:** The *Education (Reforming Teacher Profession Discipline) Amendment Act* amends the *Education Act* and the *Teaching Profession Act*. The Act also amends and proclaims sections of the *Students First Act* and the *College of Alberta School Superintendents Act*.

The Act creates an office of the Commissioner and authorizes the Commissioner to oversee the process for complaints of alleged unprofessional conduct and professional incompetence made against any Alberta certificated teacher or teacher leader.

Under the Act, the Registrar is responsible for the intake of all complaints. It also authorizes the Commissioner to address and investigate a complaint and determine the most appropriate course of action to take regarding the said complaint.

Pursuant to the Act, the Lieutenant Governor in Council may establish a code of professional conduct for teachers and teacher leaders.

The Act authorizes Lieutenant Governor in Council to make regulations respecting the transition to the Act of any matters relating to disciplinary proceedings under the *Teaching Profession Act* or the regulations.

**In Force:** On May 31, 2022, with exceptions. Certain sections come into force on Proclamation

**BILL 16 — INSURANCE AMENDMENT ACT, SA 2022 c11**

- Amended:**
- *Captive Insurance Companies Act, SA 2021 cC-2.4*
  - *Insurance Act, RSA 2000 cI-3*

**Summary:** The *Insurance Amendment Act* amends the *Insurance Act* of 2000 and the *Captive Insurance Companies Act*. Among other things, the Act reduces the cost for purchasing unlicensed insurance from 50% of the premium payable for unlicensed insurance to 10% and reduces the 50% financial penalty for the late payment of all charges and tax on unlicensed insurance to 10%.

The Act permits provincially licensed insurance companies that restricts its business to the business of reinsurance to enter into limited partnerships.

The Act also authorizes the President of Treasury Board and Minister of Finance to waive or reduce all or a portion of a penalty or related interest imposed on an insurer or reciprocal insurance exchange.

An extra-provincial captive insurance company may redomesticate to Alberta and is not required to merge, consolidate, transfer assets or engage in any other reorganization. A redomesticated captive insurance company has all the rights, privileges, immunities and powers, and is subject to all applicable laws, duties and liabilities of an Alberta captive insurance company. Further, to the extent permitted by the laws of Alberta, a redomesticated captive insurance company has all the rights, privileges, immunities and powers that it possessed prior to the redomestication and is responsible for all the liabilities and obligations for which it was responsible or liable prior to the redomestication.

**In Force:** On May 31, 2022

**BILL 17 — LABOUR STATUTES AMENDMENT ACT, SA 2022 c13**

- Amended:**
- *Employment Standards Code, RSA 2000 cE-9*
  - *Labour Relations Code, RSA 2000 cL-1*

**Summary:** Among other things, the *Labour Statutes Amendment Act* amends the *Employment Standards Code* and *Labour Relations Code* regarding bereavement and reservist leaves rules for employees. The Act removes the 20-day limit on the time reservists can take for annual training.

The Act also allows employees who have been with the same employer for at least 90 days to take bereavement leave when their family member dies, or when they or their spouse had a pregnancy which ended in miscarriage or stillbirth. Employees can still take up to three days of bereavement leave in total per calendar year.

The Act allows academic staff, graduate students and postdoctoral fellow associations to continue representing their respective members in collective bargaining without a time limit.

**In Force:** On May 31, 2022, except section 2, which came into force on July 1, 2022

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## **BILL 18 — *UTILITY COMMODITY REBATE ACT, SA 2022 cU-3.5***

**Repealed:** • *Natural Gas Price Protection Act, SA 2001 cN-1.5*

**Summary:** The *Utility Commodity Rebate Act* repealed the *Natural Gas Price Protection Act* and established the authority of the Minister to provide rebates on utility commodities at the Minister's discretion.

**In Force:** April 29, 2022

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## **BILL 20 — *JUSTICE STATUTES AMENDMENT ACT, SA 2022 c12***

**Amended:** • *Corrections Act, RSA 2000 cC-29*  
• *Justice of the Peace Act, RSA 2000 cJ-4*  
• *Missing Persons Act, SA 2011 cM-18.5*  
• *Victims of Crime and Public Safety Act, RSA 2000 cV-3*  
• *Youth Justice Act, RSA 2000 cY-1*

**Summary:** The *Justice Statutes Amendment Act* makes housekeeping amendments to the *Corrections Act*, the *Justice of the Peace Act*, the *Missing Persons Act*, the *Victims of Crime and Public Safety Act*, and the *Youth Justice Act*.

The Act provides that under the *Corrections Act*, compensation rates of Alberta Parole Board members are to be set by order in council rather than in the regulations.

In the *Justice of the Peace Act*, the Act authorizes the Chief Judge to appoint full- or part-time justices of the peace.

For the purposes of investigating the whereabouts of a missing person, or if there are reasonable grounds to believe that immediate access to records is necessary to prevent imminent bodily harm to or the death of a missing person, or the destruction of records, the Act authorizes a police service to apply without notice to a justice of the peace for an order of access to "telephone, internet and other electronic communication records" which include

- Records related to signals from a wireless device that may indicate the location of the wireless device;
- Cellular telephone records, including information about incoming and outgoing calls and usage;
- Inbound and outbound text records; and
- Browsing history records.

The Act amends the *Missing Persons Act* by adding a definition of medical information and related terms. The Act also provides that a justice of the peace may seal court records if public access would interfere with an investigation into the whereabouts of a missing person or if it endangers other people.

A special committee of the Legislative Assembly must begin a comprehensive review of the *Missing Persons Act* and the regulations made under it not later than 2027 and within five years after the date on which the previous special committee submits its final report. The special committee must submit to the Legislative Assembly, within one year after beginning a review under this section, a report that includes any amendments recommended by the special committee.

The Act adds regulation-making powers to further define words or expressions defined in the Act. Further, the Act amends the *Victims of Crime and Public Safety Act* by reclassifying “death benefit” as “funeral expense reimbursement”.

The Act also unequivocally disestablished the Criminal Injuries Review Board.

The act amends the *Youth Justice Act* so that parents of young person who is arrested can be notified by any peace officer and not solely the officer in charge. An application for the forfeiture of an amount set out in an undertaking, release order or recognizance of a young person is to be made to the youth justice court.

**In Force:** On Proclamation, except sections 3 and 5, which came into force on May 31, 2022

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## **BILL 21 — RED TAPE REDUCTION STATUTES AMENDMENT ACT, SA 2022 c16**

**Amended:**

- *Animal Health Act*, SA 2007 cA-40.2
- *Child, Youth and Family Enhancement Act*, RSA 2000 cC-12
- *Cooperatives Act*, SA 2001 cC-28.1
- *Education Act*, SA 2012 cE-0.3
- *Health Statutes Amendment Act*, SA 2021 c10
- *Highways Development and Protection Act*, SA 2004 cH-8.5
- *Local Authorities Election Act*, RSA 2000 cL-21
- *Motor Vehicle Accident Claims Act*, RSA 2000 cM-22
- *Municipal Government Act*, RSA 2000 cM-26
- *Pharmacy and Drug Act*, RSA 2000 cP-13
- *Provincial Parks Act*, RSA 2000 cP-35
- *Public Lands Act*, RSA 2000 cP-40
- *Railway (Alberta) Act*, RSA 2000 cR-4
- *Residential Tenancies Act*, SA 2004 cR-17.1
- *Rural Utilities Act*, RSA 2000 cR-21
- *Surveys Act*, RSA 2000 cS-26

**Summary:** The *Red Tape Reduction Statutes Amendment Act* amends the following legislation:

### ***Animal Health Act***

The Act removes the 24-hour requirement for reporting the presence or suspected presence of a reportable or notifiable disease in an animal from the *Animal Health Act*, but notably does not remove it from the Reportable and Notifiable Diseases Regulation.

### ***Child, Youth and Family Enhancement Act***

The Act removes the one-year term in the *Child, Youth and Family Enhancement Act* for a residential facility licence as terms will now be set in the regulations.

The Act also outlines the right of foster parents to appeal a decision regarding a residential facility licence.

### ***Cooperatives Act***

Among other things, the Act reduces the percentage of Canadian resident members of a cooperative’s board of directors from a majority to 25%, and removes Canadian residency requirements for managing directors.

# LEGISLATIVE SUMMARY

The replacement of the Director of Cooperatives with the Registrar of Cooperatives necessitated the consequential amendments.

## ***Education Act***

The Act authorizes the enactment of regulation respecting Early Childhood Services programs and private schools.

The Act also extends the repeal date of sections of the Education Act regarding the spending of accumulated surplus funds by school boards from September 1, 2022 to September 1, 2023.

## ***Highway Development and Protection Act***

The Act allows the Minister (as opposed to the Lieutenant Governor in Council prior to the amendment) to, by order, designate freeways and prescribe a route number for the freeway so designated.

## ***Local Authorities Election Act***

The Act requires the following personal information of candidates and donors to be redacted from candidate disclosure statements before they are made public.

- The mailing address of the candidate;
- Any address provided for a contributor, except any portion of an address that names a municipality or a province; or
- Any other candidate or contributor contact information not required to be included on a document filed with a local jurisdiction.

In the event that a document which was previously publicly available does not comply with the foregoing before the amendment comes into force, the local jurisdiction must immediately withhold any further public access to the document and make the document available to the public in a partial or redacted form.

## ***Motor Vehicle Accident Claims Act***

The Act authorizes the Minister to appoint an *Administrator of the Act*, and enables the Administrator to delegate duties and powers under the Act to other people.

## ***Municipal Government Act***

The Act authorizes the Minister to approve Community Revitalization Levy bylaws and amendments, instead of the Lieutenant Governor in Council.

The list of municipal purposes must now include “to foster the economic development of the municipality”.

Two or more municipalities may now establish an intermunicipal business licensing program and adopt a bylaw of each participating municipality.

The Minister is also able to make regulations respecting intermunicipal business licensing programs.

Municipality councils must hold a public hearing for proposed bylaws before second reading of a bylaw that would close a road.

The amendments make various changes to the procedure for the formation, change of status or dissolution of a municipality, the amalgamation of municipal authorities, or the annexation of land.

The Minister now has the powers to:

- Make an order to suspend the bylaw-making authority of councils;
- Make an order to remove a suspension with or without conditions;
- Make an order withholding money otherwise payable by the Government to a municipality pending compliance with an order of the Minister;
- Make an order establishing, repealing or amending policies and procedures with respect to a municipality;
- Make an order to suspend the development or subdivision authority of a municipality and provide a person to act in its place pending compliance with conditions specified in the order;
- Make an order requiring or prohibiting any other action as necessary to ensure compliance;
- Make an order dismissing the council or any member of it or the chief administrative officer; and
- Hold an additional electors vote on whether a municipality should be dissolved.

Further, the Act authorizes the Minister to make regulations respecting the use of electronic, telephonic or other communication methods to conduct meetings of a council or council committee.

The Act also authorizes council to pass a bylaw providing for meetings including hearings to be held by electronic means. Such a bylaw must specify the type of electronic means for the meeting, require a method to confirm the identity of each councillor, specify a method for the public to access, specify a method for making information publicly available, and specify a method for giving public notice of the meetings.

Pursuant to the Act, a chief elected official is no longer an automatic member of committees and bodies.

The Act authorizes councils to approve of the method to give notice for a council or council committee meeting, and notice to a councillor, member of council committee and the public would be deemed sufficient if given by such an approved method.

#### ***Pharmacy and Drug Act***

The Act authorizes the Alberta College of Pharmacy to create and enforce standards of practice that address specific areas of pharmacy operations.

#### ***Provincial Parks Act and Public Lands Act***

The Act allows the Minister in charge of both Acts to adopt or incorporate and publish standards, directives, practices, codes, guidelines, objectives or other rules. The Minister in each case is also authorized to set standards, directives, practices, codes, guidelines, objectives or other rules relating to any matter in respect of which a regulation may be made.

#### ***Health Statutes Amendment Act***

Under the Act, the proprietor of a pharmacy must now meet the requirements set out in the regulations and the standards.

#### ***Railway (Alberta) Act***

The Act allows operators of a heritage railway to apply to the Railway Administrator to operate under an alternate set of rules than those currently prescribed in the Heritage Railway Regulation.

#### ***Residential Tenancies Act***

In addition to delivery by personal service, regular mail or registered mail, the Act allows any manner of delivery of the security deposit which is agreed upon in writing by the landlord and the tenant.

# LEGISLATIVE SUMMARY

## ***Rural Utilities Act***

The Act allows rural electrification associations to purchase other rural electrification associations.

## ***Surveys Act***

The Act allows the use of “provincial reference system” which is a collection of standards, models, data products and infrastructure used to support geospatial positioning.

The Act allows surveyors up to one year after the completion of a survey to register a survey plan with the Registrar instead of 90 days.

The Act repeals the discretion for municipalities to use general funds for re-survey expenses and replaces it with a provision to place the expenses in whole or in part on the tax roll and collect same as an additional tax against the property affected by the re-survey, in proportion to the assessed value of the property as shown on the last assessment roll.

**In Force:** Various dates

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## **BILL 22 — *ELECTRICITY STATUTES (MODERNIZING ALBERTA'S ELECTRICITY GRID) AMENDMENT ACT, SA 2022 c8***

- Amended:**
- *Alberta Utilities Commission Act, SA 2007 cA-37.2*
  - *Electric Utilities Act, SA 2003 cE-5.1*
  - *Hydro and Electric Energy Act, RSA 2000 cH-16*

**Summary:** Pursuant to the *Electricity Statutes (Modernizing Alberta's Electricity Grid) Amendment Act*, the Alberta Utilities Commission (the “Commission”) may by order, allow individuals to construct or operate energy storage facilities.

The Act defines energy storage in the *Alberta Utilities Commission Act* and establishes the agency’s approach to hearings for energy storage facilities.

The Commission may make rules with respect to the procedures and processes applicable to locating, building, constructing and operating the energy storage facilities.

The Act also defines “self-supply” as the production of electric energy on a property where a person is the owner or a tenant as well as consumer of the produced electric energy. Self-supply facilities are mostly exempted from the application of the Act IF the energy is solely for the producers’ use.

When the Independent System Operator is the applicant for tariff approval, the Commission must provide the Operator with a reasonable opportunity to recover a just and reasonable share of the costs associated with the transmission system from electricity market participants that are connected to the interconnected electric system and that self-supply, or the owners of electric distribution systems that provide electric distribution services to market participants that self-supply.

The Act provides the Minister of Energy with the regulation-making authority.

The Act requires distribution companies to prepare system plans according to regulations made by the Minister.

The Minister may determine the “administration fee”, an amount required to pay for the Office of the Utilities Consumer Advocate’s estimated net expenditures. The Commission must then impose a fee sufficient to pay the administration fee on an owner of a utility or any other person over whom the Commission has jurisdiction or any person to whom the Commission provides services.

The Act assigns many of the current responsibilities of the Balancing Pool to any “entity designated in the regulations”.

**In Force:** On Proclamation

**BILL 24 — MISCELLANEOUS STATUTES AMENDMENT ACT, SA 2022 c14**

- Amended:**
- *Dairy Industry Act*, RSA 2000 cD-2
  - *Family and Community Support Services Act*, RSA 2000 cF-3
  - *Health Professions Act*, RSA 2000 cH-7
  - *International Trade and Investment Agreements Implementation Act*, RSA 2000 cI-7
  - *Interpretation Act*, RSA 2000 cI-8
  - *Legislative Assembly Act*, RSA 2000 cL-9
  - *Marketing of Agricultural Products Act*, RSA 2000 cM-4
  - *Marriage Act*, RSA 2000 cM-5
  - *Métis Settlements Act*, RSA 2000 cM-14
  - *Occupational Health and Safety Act*, SA 2020 cO-2.2
  - *Personal Information Protection Act*, SA 2003 cP-6.5
  - *Post-secondary Learning Act*, SA 2003 cP-19.5
  - *Queen Elizabeth II Platinum Jubilee Recognition Act*, SA 2022 cQ-0.7
  - *Recall Act*, SA 2021 cR-5.7
  - *Safety Codes Act*, RSA 2000 cS-1
  - *Skilled Trades and Apprenticeship Education Act*, SA 2021 cS-7.88
  - *Societies Act*, RSA 2000 cS-14
  - *Surface Rights Act*, RSA 2000 cS-24
  - *Vital Statistics Act*, SA 2007 cV-4.1

**Summary:** The *Miscellaneous Statutes Amendment Act* makes minor amendments to 19 acts, which include the *Dairy Industry Act*, the *Family and Community Support Services Act*, the *Health Professions Act*, the *International Trade and Investment Agreements Implementation Act*, the *Interpretation Act*, the *Legislative Assembly Act*, the *Marketing of Agricultural Products Act*, the *Marriage Act*, the *Métis Settlements Act*, the *Occupational Health and Safety Act*, the *Personal Information Protection Act*, and the *Post-secondary Learning Act*, the *Queen Elizabeth II Platinum Jubilee Recognition Act*, the *Recall Act*, the *Safety Codes Act*, the *Skilled Trades and Apprenticeship Education Act*, the *Societies Act* and the *Surface Rights Act*.

Practitioners are advised to review the *Miscellaneous Statutes Amendment Act* to determine how the amendments affect their practice.

**In Force:** On May 31, 2022, with exceptions



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