



Province of Alberta

LAND AND PROPERTY RIGHTS TRIBUNAL ACT

Statutes of Alberta, 2020
Chapter L-2.3

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LAND AND PROPERTY RIGHTS TRIBUNAL ACT

Chapter L-2.3

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Interpretation

1(1) In this Act,

- (a) “chair” means the chair of the Tribunal;
- (b) “Court” means the Court of Queen’s Bench;
- (c) “existing legislation” means an Act or regulation that established or regulated a former board that existed immediately before the coming into force of this Act;
- (d) “former board” means
 - (i) the Land Compensation Board,
 - (ii) the Municipal Government Board,
 - (iii) the New Home Buyer Protection Board, or
 - (iv) the Surface Rights Boardas it existed immediately before amalgamation under section 2;
- (e) “former member” means a member of any of the former boards;
- (f) “member” means a member of the Tribunal;

- (g) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
 - (h) “Tribunal” means the Land and Property Rights Tribunal established under section 2.
- (2) Except as provided in this Act, words and phrases used in this Act have the meanings given to them in the existing legislation.

Part 1

Establishment of Land and Property Rights Tribunal

Land and Property Rights Tribunal established

2 The former boards are amalgamated, and the amalgamated entity is established as the “Land and Property Rights Tribunal”.

Appointment of members

- 3(1)** The Lieutenant Governor in Council shall, on the recommendation of the Minister, appoint the members.
- (2) The Lieutenant Governor in Council shall designate one of the members to be the chair.
- (3) The members shall be paid
- (a) remuneration at the rates set by the Lieutenant Governor in Council, and
 - (b) reasonable travelling and living expenses while carrying out duties as members away from home, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.
- (4) Subject to the regulations, the chair may delegate any power given to the chair under this Act.

Panels and quorum

- 4(1)** The chair may
- (a) select a member or convene a panel of members to deal with a particular matter or class or group of matters, and
 - (b) designate a member to chair a panel convened under clause (a).
- (2) The member selected or panel convened under subsection (1) may perform the functions of the Tribunal in respect of the particular matter or class or group of matters for which the member

was selected or the panel was convened and when performing any of those functions has all the powers and jurisdiction of the Tribunal.

(3) The chair may establish as many panels of members as the chair considers necessary to deal with any particular matter or class or group of matters on behalf of the Tribunal.

(4) A majority of the members of a panel constitutes a quorum.

(5) A decision of a majority of the members of a panel is the decision of the Tribunal.

Part 2 Jurisdiction and Powers

Jurisdiction

5 The Tribunal has jurisdiction

(a) to hold hearings, proceedings and inquiries, hear complaints and appeals and determine disputes

(i) with respect to expropriations under and referred to in the *Expropriation Act*;

(ii) under Part 12 of the *Municipal Government Act*;

(iii) under Part 5 of the *New Home Buyer Protection Act*, and

(iv) with respect to any matter under or referred to in the *Surface Rights Act*,

and

(b) with respect to any other matter in respect of which the Tribunal has jurisdiction under this or any other Act.

Powers

6(1) In addition to the powers and duties given under the existing legislation, the Tribunal shall have the power to make rules respecting its practice and procedures and to regulate its own process.

(2) The Tribunal has all the powers of a commissioner appointed under the *Public Inquiries Act*.

(3) The *Regulations Act* does not apply to rules made under subsection (1).

Directors and other staff

7 There may be appointed, in accordance with the *Public Service Act*, as many directors, case managers, inspectors, land examiners, legal counsel, officers and other staff as may be required to carry out the business of the Tribunal.

Protection from liability

8 No action lies against the Tribunal, a member, an officer, employee or other staff of the Tribunal or a person appointed or engaged to perform a duty or exercise a power for the Tribunal, for anything done or omitted to be done by the Tribunal, member, officer, employee, staff or person, as the case may be, in good faith while exercising the powers and performing the duties under this Act.

Contempt

9 A person who commits or does any act, matter or thing that would, if done in or in respect of the Court, constitute a contempt of the Court is in contempt of the Tribunal, and on an application by the Tribunal, the Court may commit that person for contempt of the Tribunal, and the Court has the same power of committal in respect of contempt of the Tribunal as it has in respect of contempt of the Court.

Part 3 Proceedings

Proceedings

10(1) The Tribunal is not bound by the rules of evidence or any other law applicable to court proceedings and has the power to determine the admissibility, relevance and weight of any evidence in determining any matter within its jurisdiction.

(2) The Tribunal may require any person giving evidence before it to do so under oath or affirmation and declaration.

(3) The Tribunal has discretion to decide whether to record a hearing.

(4) The Tribunal may adjourn any hearing or proceeding from time to time for any length of time as the Tribunal considers expedient or advisable.

(5) The Tribunal may extend the time within which the Tribunal is to hear a matter before it and render a decision.

(6) The Tribunal may hold its sittings at any place or places in Alberta from time to time.

Notice to attend or produce

11(1) When, in the opinion of the Tribunal,

- (a) the attendance of a person is required, or
- (b) the production of a document or thing is required,

the Tribunal may cause to be served on a person a notice to attend or a notice to attend and produce a document or thing.

(2) If a person fails or refuses to comply with a notice served under subsection (1), the Tribunal may apply to the Court and the Court may

- (a) issue a warrant requiring the attendance of the person before the Tribunal or the production by the person of a document or thing, or
- (b) commit the person for contempt.

Protection of witnesses

12 A witness may be examined under oath, or affirmation and declaration, on anything relevant to a matter that is before the Tribunal and is not excused from answering any question on the ground that the answer might tend to

- (a) incriminate the witness,
- (b) subject the witness to punishment under this or any other Act, or
- (c) establish liability of the witness
 - (i) to a civil proceeding at the instance of the Crown or of any other person, or
 - (ii) to prosecution under any Act,

but if the answer so given tends to incriminate the witness, subject the witness to punishment or establish liability of the witness, it must not be used or received against the witness in any civil proceedings or in any other proceedings under this or any other Act, except in a prosecution for or proceedings in respect of perjury or the giving of contradictory evidence.

Extension of time

13 When a decision of the Tribunal requires something to be done within a specified time, the Tribunal may extend the time.

Signing of orders, etc.

14(1) Any order, direction or other document issued or made by the Tribunal may be signed on behalf of the Tribunal by the chair or any member, whether or not the chair or member so signing participated in any proceedings giving rise to the order, direction or document.

(2) An order, direction or other document signed by the chair or a member under subsection (1) shall be admitted in evidence as proof, in the absence of evidence to the contrary,

- (a) that the order, direction or document is the act of the Tribunal, and
- (b) that the chair or member signing it was authorized to do so.

Technical irregularities

15(1) A decision of the Tribunal is not invalid because of a defect in form, a technical irregularity or an informality.

(2) The Tribunal may correct any error or omission in its decision.

Part 4

Appeal and Judicial Review

Appeal

16(1) The Tribunal may confirm, vary, quash or substitute a decision of its own with respect to a decision, order or administrative penalty that is being appealed to the Tribunal under the existing legislation or this Act.

(2) An appeal before the Tribunal is a new hearing and the Tribunal may hear any evidence and issues during an appeal, whether or not they were raised before.

(3) When hearing an appeal, the Tribunal may

- (a) consider the decision and record of the decision maker whose decision is appealed, including any documents, evidence, records, or other material before the original decision maker, and
- (b) adopt any or all of the documents, evidence, records or material referred to in clause (a) as part of its own record, in addition to the new evidence or other material raised during the appeal.

Judicial review

17(1) Where a decision of the Tribunal is the subject of an application for judicial review, the application must be filed with

the Court and served according to Part 3 of the *Alberta Rules of Court* not more than 60 days after the date of the decision.

(2) For matters under the *Municipal Government Act*, a notice of an application for judicial review of a decision referred to in subsection (1) must also be given to

- (a) a municipality, if the decision that is the subject of the judicial review relates to property that is within the boundaries of that municipality, and
- (b) the Minister.

(3) Documents excluded from the public record of a hearing by the Tribunal remain excluded from the public record on judicial review unless otherwise ordered by the Court.

(4) No member of the Tribunal is liable for costs by reason of or in respect of a judicial review under this Act.

No stay

18 The commencement of an appeal or judicial review of a decision or order does not operate as a stay of proceedings or suspend the operation of the decision or order unless the Tribunal orders otherwise.

Standard of review

19 On an application for judicial review of or leave to appeal a decision or order of the Tribunal or on an appeal of a decision or order of the Tribunal, the standard of review to be applied is reasonableness.

Part 5 Regulations

Regulations

20(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the application of this Act and the existing legislation;
- (b) respecting appointments of members, including eligibility for appointment;
- (c) respecting conflict of interest guidelines, codes of conduct and any other guidelines and policies in respect of the Tribunal and the members;
- (d) respecting the use of electronic means to create, communicate, make available, collect, receive, store or

otherwise deal with records or information under this Act and the existing legislation;

- (e) defining a word or expression used but not defined in this Act.

(2) The Minister may make regulations

- (a) respecting the training and qualifications of members and the chair or the chair's delegate;
- (b) respecting the setting by the chair of the date, time and location for a hearing before the Tribunal;
- (c) respecting the conditions under which the chair may appoint one member of the Tribunal to sit as a panel of the Tribunal;
- (d) respecting the functions of the Tribunal;
- (e) governing the disclosure of evidence in a hearing before the Tribunal;
- (f) governing hearings held in private before the Tribunal;
- (g) governing the excluding of documents from the public record by the Tribunal;
- (h) setting fees payable by applicants, complainants, parties, intervenors or others who appear at hearings before the Tribunal or at inquiries conducted by the Tribunal, and for obtaining copies of the Tribunal's decisions and other documents;
- (i) respecting any matter that the Minister considers necessary or advisable to carry out the intent and purposes of this Act.

Part 6 Transitional Provisions

Transitional

21 On the coming into force of this Act,

- (a) despite anything in the *Alberta Public Agencies Governance Act*, former members shall be deemed to be appointed as members under this Act and shall be eligible to serve for a maximum term of 12 years, irrespective of the time served as former members,

- (b) the rules of procedure and practice of the former boards continue until repealed, amended or replaced by the Tribunal under this Act,
- (c) any action, appeal, application, complaint, hearing, inquiry or other proceeding commenced and not concluded before the coming into force of this Act continues under the existing legislation as if this Act has not come into force, and
- (d) any decision, determination or order made by any of the former boards before the coming into force of this Act is deemed to be a decision and order of the Tribunal under this Act.

Transitional — regulations

22 The Lieutenant Governor in Council may make regulations

- (a) respecting the transitional application of the amendments made by this Act to the existing legislation or any other Acts, including the interpretation of any provision amended;
- (b) to remedy any confusion, difficulty, inconsistency or impossibility resulting from the amendments made by this Act to the existing legislation or any other Act;
- (c) to meet or remove any difficulty arising out of the transition to this Act.

Part 7 Related Amendments, Consequential Amendments and Coming into Force

Related Amendments

Expropriation Act

Amends RSA 2000 cE-13

23(1) The *Expropriation Act* is amended by this section.

(2) Section 1 is amended

- (a) by repealing clause (b);
- (b) by adding the following after clause (m):
 - (m.1) “Tribunal” means the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*;

(3) Sections 25 and 26 are repealed.

(4) Section 27 is repealed and the following is substituted:

Jurisdiction of Tribunal

27 Except as provided for in section 29(3), the Tribunal has jurisdiction with respect to expropriations under this Act.

(5) Section 28 is repealed and the following is substituted:

Entering and inspecting any land, building, etc.

28 The Tribunal may enter on and inspect, or authorize any person to enter on and inspect, any land, building, works or other property.

(6) The following provisions are amended by striking out “Board” and substituting “Tribunal”:

section 7(c);
section 8(5)(g);
section 15(4);
section 18(3);
section 24(4);
section 40(1);
section 52(2);
section 53;
section 57;
section 58.

(7) The following provisions are amended by striking out “Board” wherever it occurs and substituting “Tribunal”:

section 17;
section 29;
section 30;
section 31;
section 34;
section 37;
section 38;
section 39;
section 47;
section 49;
section 54;
section 59;
section 66;
section 69;
section 70;
section 71.

(8) The Schedule is amended by adding the following item after item 1:

1.1 Land and The
Property whole
Rights
Tribunal Act

Municipal Government Act

Amends RSA 2000 cM-26

24(1) The *Municipal Government Act* is amended by this section.

(2) Section 1(1) is amended

(a) by repealing clause (l) and substituting the following:

(l) “Land and Property Rights Tribunal” means the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*;

(b) by repealing clause (q).

(3) Section 15 is amended

(a) in subsection (1) by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”;

(b) in subsection (2)

(i) by striking out “Land Compensation Board” and substituting “Tribunal”;

(ii) by striking out “the Board” and substituting “the Tribunal”.

(4) Section 120 is amended

(a) in subsection (1) by striking out “Municipal Government Board” and substituting “Land and Property Rights Tribunal”;

(b) by striking out “the Board” wherever it occurs and substituting “the Tribunal”.

(5) Section 121 is amended

(a) by striking out “Municipal Government Board” and substituting “Land and Property Rights Tribunal”;

(b) by striking out “the Board” wherever it occurs and substituting “the Tribunal”.

(6) Section 122 is amended

- (a) **in subsections (1) and (2) by striking out** “Municipal Government Board” **and substituting** “Land and Property Rights Tribunal”;
- (b) **in subsection (3) by striking out** “the Board” **and substituting** “the Tribunal”.

(7) Section 124 is amended

- (a) **in subsection (1) by striking out** “Municipal Government Board” **and substituting** “Land and Property Rights Tribunal”;
- (b) **by striking out** “the Board” **wherever it occurs and substituting** “the Tribunal”.

(8) The heading preceding section 485 is repealed and the following is substituted:

Part 12
Land and Property Rights Tribunal

(9) Section 485 is repealed and the following is substituted:**Definitions**

485 In this Part,

- (a) “chair” means the chair of the Tribunal;
- (b) “Tribunal” means the Land and Property Rights Tribunal.

(10) The heading preceding section 486 is repealed and the following is substituted:

Division 1
Jurisdiction of the Land and
Property Rights Tribunal

(11) Sections 486 and 487 are repealed.**(12) Section 487.1 is repealed and the following is substituted:****Hearing related to assessment**

487.1 A member or a panel of the Tribunal may not participate in a hearing related to assessment matters unless the member is or the members of the panel are qualified to do so in accordance with the regulations.

(13) Section 487.2 is repealed.

(14) Section 488 is amended by striking out “Board” wherever it occurs and substituting “Tribunal”.

(15) Sections 489 and 490 are repealed.

(16) The heading preceding section 491 is repealed and the following is substituted:

**Division 2
Hearings Before the Tribunal**

(17) Section 491 is amended by striking out “the Board” wherever it occurs and substituting “the Tribunal”.

(18) Section 495 is amended by striking out “the Board” wherever it occurs and substituting “the Tribunal”.

(19) Sections 496 to 498, 503 and 507 are repealed.

(20) Division 3 of Part 12 is repealed.

(21) The heading preceding section 514 is repealed and the following is substituted:

**Division 4
Inquiries by the Tribunal**

(22) Sections 520, 521 and 523 are repealed.

(23) Section 524 is amended by striking out “Board” wherever it occurs and substituting “Tribunal”.

(24) Section 525.1 is amended by striking out “Board” wherever it occurs and substituting “Tribunal”.

(25) Sections 526 and 527 are repealed.

(26) Section 527.1 is repealed and the following is substituted:

Regulations

527.1 The Minister may make regulations

- (a) prescribing the period of time for the purposes of section 494(1)(b);
- (b) respecting costs that may or must be imposed by the Tribunal in respect of a hearing, including, without limitation, regulations respecting

- (i) the circumstances in which costs must be imposed, and
- (ii) the amount of costs;
- (c) respecting the circumstances under which a person may act as an agent for an assessed person or taxpayer at a hearing before the Tribunal;
- (d) setting fees payable by complainants, or by parties, intervenors or others who appear at hearings before the Tribunal or at inquiries conducted by the Tribunal, and for obtaining copies of the Tribunal's decisions and other documents.

(27) Section 553(1)(h) is amended by striking out “Municipal Government Board” wherever it occurs and substituting “Land and Property Rights Tribunal”.

(28) Section 602.2 is amended

- (a) **by striking out “Municipal Government Board” wherever it occurs and substituting “Land and Property Rights Tribunal”;**
- (b) **by striking out “the Board” wherever it occurs and substituting “the Tribunal”.**

(29) Section 619 is amended

- (a) **by striking out “Municipal Government Board” wherever it occurs and substituting “Land and Property Rights Tribunal”;**
- (b) **in subsection (5) by striking out “the Board” and substituting “the Tribunal”.**

(30) Section 631 is amended

- (a) **in subsection (5) by striking out “Municipal Government Board” and substituting “Land and Property Rights Tribunal”;**
- (b) **in subsection (6)**
 - (i) **by striking out “Municipal Government Board” and substituting “Land and Property Rights Tribunal”;**
 - (ii) **by striking out “the Board” and substituting “the Tribunal”.**

(31) Section 631.1(1.1) is amended

- (a) **by striking out** “Municipal Government Board” **and substituting** “Land and Property Rights Tribunal”;
- (b) **by striking out** “the Board” **and substituting** “the Tribunal”.

(32) Section 648.1 is amended

- (a) **in subsection (1) by striking out** “Municipal Government Board” **and substituting** “Land and Property Rights Tribunal”;
- (b) **in subsection (2)**
 - (i) **by striking out** “Municipal Government Board” **and substituting** “Land and Property Rights Tribunal”;
 - (ii) **by striking out** “the Board” **and substituting** “the Tribunal”.

(33) Section 657(1)(b) is repealed and the following is substituted:

- (b) if there is an appeal to the subdivision and development appeal board or the Land and Property Rights Tribunal, the date of the decision of the appeal board or the Tribunal, as the case may be, or the date on which the appeal is discontinued;

(34) Section 682 is amended

- (a) **in subsection (1) by striking out** “Municipal Government Board” **and substituting** “Land and Property Rights Tribunal”;
- (b) **in subsection (2) by striking out** “member of the board” **and substituting** “member of the subdivision and development appeal board or Land and Property Rights Tribunal, as the case may be,”.

(35) Section 688 is amended

- (a) **by striking out** “Municipal Government Board” **wherever it occurs and substituting** “Land and Property Rights Tribunal”;
- (b) **in subsection (6) by striking out** “the Board” **wherever it occurs and substituting** “the Tribunal”.

(36) Section 689 is amended by striking out “Municipal Government Board” wherever it occurs and substituting “Land and Property Rights Tribunal”.

(37) Section 690 is amended

- (a) by striking out “Municipal Government Board” wherever it occurs and substituting “Land and Property Rights Tribunal”;**
- (b) in subsections (4) and (6) by striking out “the Board” wherever it occurs and substituting “the Tribunal”;**
- (c) in subsection (7) by striking out “the Board” and substituting “the Tribunal”.**

(38) Section 708.18 is amended by striking out “Municipal Government Board” wherever it occurs and substituting “Land and Property Rights Tribunal”.

(39) The following provisions are amended by striking out “Board” and substituting “Tribunal”:

section 123;
section 125;
section 488.01;
section 488.1(1) and (2);
section 493(1);
section 494(1);
section 499(1), (2), (3) and (4);
section 500(1) and (2);
section 501;
section 504;
section 502;
section 505;
section 508(1) and (2);
section 514(1) and (2);
section 515(1) and (2);
section 516;
section 517(1) and (2);
section 519;
section 525(1).

(40) The following provisions are amended by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”:

section 23(2);
section 26(5);

section 534(10), (11), (12), (13) and (15)(a) and (b);
section 664.2(3).

(41) The following provisions are amended by striking out “Municipal Government Board” and substituting “Land and Property Rights Tribunal”:

section 116(1)(b);
section 119(1);
section 295(6);
section 299.1(3);
section 299.2(3) and (5);
section 305(1.1);
section 321;
section 557(a.5);
section 602.21(1), (3) and (4);
section 618.3(1)(g);
section 618.4(1);
section 638.2(3);
section 656(2)(a);
section 674.1(4)(b);
section 678(2)(a);
section 680(4);
section 685(1.1) and (2.1)(a);
section 691(1) and (2);
section 693(2)(b);
section 693.1(2)(b);
section 694(1)(g), (h.2) and (4)(d);
section 708.36(7)(b).

New Home Buyer Protection Act

Amends SA 2012 cN-3.2

25(1) The *New Home Buyer Protection Act* is amended by this section.

(2) Section 1(1) is amended

(a) by repealing clause (f);

(b) by adding the following after clause (dd):

(dd.1) “Tribunal” means the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*;

(3) Section 18 is repealed.

(4) Section 19(1) and (1.1) are amended by striking out “under section 18” and substituting “under this Part”.

(5) Section 20.2 is repealed.

(6) Section 21 is amended

- (a) by striking out “Board” wherever it occurs and substituting “Tribunal”;**
- (b) in subsection (1) by striking out “under section 18(6)” and substituting “under this Part”.**

(7) The following provisions are amended by striking out “Board” wherever it occurs and substituting “Tribunal”:

section 4.6(2)(b);
section 13(4) and (6);
section 14(1);
section 16;
section 17;
section 19;
section 20;
section 20.1;
section 21.1;
section 22.

Surface Rights Act

Amends RSA 2000 cS-24

26(1) The *Surface Rights Act* is amended by this section.

(2) Section 1 is amended

- (a) by repealing clause (a);**
- (b) in clause (l) by striking out “Board” and substituting “Tribunal”;**
- (c) by adding the following after clause (p):**

(p.1) “Tribunal” means the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*;

(3) Sections 3 and 6 are repealed.

(4) Section 8 is amended

- (a) in subsection (1) by striking out “Board” and substituting “Tribunal”;**
- (b) in subsection (2)**

- (i) **by striking out “Board” wherever it occurs and substituting “Tribunal”;**
 - (ii) **by repealing clause (c);**
 - (c) **by repealing subsection (3);**
 - (d) **in subsections (3.1) and (3.2) by striking out “Board” and substituting “Tribunal”;**
 - (e) **by repealing subsection (4).**
- (5) Sections 10 and 11 are repealed.**
- (6) Section 15 is amended**
- (a) **in subsections (1) and (2)(a) by striking out “the Board” wherever it occurs and substituting “the Tribunal”;**
 - (b) **in subsection (3)**
 - (i) **by striking out “the Board” and substituting “the Tribunal”;**
 - (ii) **by striking out “Surface Rights Board” and substituting “Land and Property Rights Tribunal”;**
 - (c) **in subsection (4)**
 - (i) **by striking out “Surface Rights Board” and substituting “Land and Property Rights Tribunal”;**
 - (ii) **by striking out “the Board” wherever it occurs and substituting “the Tribunal”;**
 - (d) **in subsection (5) by striking out “the Board” wherever it occurs and substituting “the Tribunal”;**
 - (e) **in subsection (6)**
 - (i) **by striking out “the Board” and substituting “the Tribunal”;**
 - (ii) **by striking out “Surface Rights Board” wherever it occurs and substituting “the Land and Property Rights Tribunal”.**
- (7) Section 32 is repealed and the following is substituted:**

Certified copy as evidence

32 A copy of an order of the Tribunal, certified as a true copy by a member of the Tribunal, an employee of the Tribunal authorized to perform that function or the Tribunal's solicitor, shall be admitted in evidence as proof, in the absence of evidence to the contrary, of the order by the Tribunal, without any proof of the appointment or authority of the person so certifying or the authenticity of that person's signature or any other proof.

(8) Section 36 is amended**(a) by repealing subsection (6) and substituting the following:**

(6) If, within 30 days of the Tribunal sending a written notice to an operator under subsection (4), the operator has not proven to the Tribunal's satisfaction that full payment has been made, the Tribunal may direct the Minister to pay out of the General Revenue Fund the amount of money to which the person referred to in subsection (3) is entitled.

(b) by striking out "Board" wherever it occurs and substituting "Tribunal".**(9) The following provisions are amended by striking out "Board" wherever it occurs and substituting "Tribunal":**

section 12(1), (3) and (4);
section 13(1);
section 13.1(1) and (2);
section 13.2(1);
section 16(2);
section 17(1) and (2);
section 18(2) to (4);
section 19(1)(b);
section 20(1);
section 22(1) and (2);
section 23;
section 24;
section 25 (1) to (7) and (9);
section 26(2), (3)(b), (4), (5)(b), (7)(a) and (c)(i) and (10);
section 27(7)(b), (8), (9.1), (11), (13) and (15)(b) and (c);
section 28(1), (3) to (6);
section 29;
section 30(1) to (3);
section 31;
section 34;
section 35;
section 35.1;
section 37.

Consequential Amendments

Alberta Land Stewardship Act

Amends SA 2009 cA-26.8

27(1) The *Alberta Land Stewardship Act* is amended by this section.

(2) Section 2(1)(b)(i) is amended by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”.

Conflicts of Interest Act

Amends RSA 2000 cC-23

28(1) The *Conflicts of Interest Act* is amended by this section.

(2) The Schedule is amended in Part 3

(a) by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”;

(b) by striking out “Municipal Government Board” and “Surface Rights Board”.

Drainage Districts Act

Amends RSA 2000 cD-16

29(1) The *Drainage Districts Act* is amended by this section.

(2) Section 34 is amended by striking out “Surface Rights Board” wherever it occurs and substituting “Land and Property Rights Tribunal”.

Environmental Protection and Enhancement Act

Amends RSA 2000 cE-12

30(1) The *Environmental Protection and Enhancement Act* is amended by this section.

(2) Section 134(e) is amended by striking out “Surface Rights Board” wherever it occurs and substituting “Land and Property Rights Tribunal”.

Historical Resources Act

Amends RSA 2000 cH-9

31(1) The *Historical Resources Act* is amended by this section.

(2) Section 28 is amended

- (a) **in subsection (2) by striking out** “Land Compensation Board established under the *Expropriation Act*” **and substituting** “Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*”;
- (b) **by repealing subsection (3) and substituting the following:**
- (3) When an application is made to the Land and Property Rights Tribunal according to subsection (2), the *Expropriation Act*, the *Land and Property Rights Tribunal Act* and the regulations made under these Acts respecting the determination of compensation, hearings and procedures, including interest, costs and appeals, apply to the application with all necessary modifications.

Irrigation Districts Act

Amends RSA 2000 cl-11

32(1) The *Irrigation Districts Act* is amended by this section.

(2) Section 1 is amended

(a) **by adding the following after clause (x):**

- (x.1) “Land and Property Rights Tribunal” means the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*;

(b) **by repealing clause (z).**

(3) The following provisions are amended by striking out “Land Compensation Board” wherever it occurs and substituting “Land and Property Rights Tribunal”:

section 87;
section 117(2)(f);
section 155(9);
section 156;
section 158;
section 159;
section 160(2).

Oil and Gas Conservation Act

Amends RSA 2000 cO-6

33(1) The *Oil and Gas Conservation Act* is amended by this section.

(2) Sections 19(2) and 101(5) are amended by striking out “Surface Rights Board” and substituting “Land and Property Rights Tribunal”.

Pipeline Act

Amends RSA 2000 cP-15

34(1) The *Pipeline Act* is amended by this section.

(2) Section 28(5) is amended by striking out “Surface Rights Board” and substituting “Land and Property Rights Tribunal”.

Property Rights Advocate Act

Amends SA 2012 cP-26.5

35(1) The *Property Rights Advocate Act* is amended by this section.

(2) The preamble is amended in the 3rd recital by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”.

(3) Section 1 is amended

(a) by repealing clause (b);

(b) by adding the following after clause (j):

(k) “Tribunal” means

- (i) in respect of land other than settlement patented land, the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*, or
- (ii) in respect of settlement patented land, the Metis Settlements Appeal Tribunal Land Access Panel established under section 186(1) of the *Metis Settlements Act*.

(4) Section 4(2) and (5) are amended by striking out “Board” and substituting “Tribunal”.

Public Lands Act

Amends RSA 2000 cP-40

36(1) The *Public Lands Act* is amended by this section.

(2) Section 9(b.2)(i) and (iii) are amended by striking out “Surface Rights Board” and substituting “Land and Property Rights Tribunal”.

(3) Section 19(9)(b), (10), (11) and (12)(b) are amended by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”.

(4) Section 82 is amended

- (a) in subsection (6) by striking out “the Land Compensation Board established under the *Expropriation Act*” and substituting “the Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*”;**
- (b) in subsection (7)**
 - (i) by striking out “the Land Compensation Board” and substituting “the Land and Property Rights Tribunal”;**
 - (ii) by striking out “the Board” and substituting “the Tribunal”.**

Railway (Alberta) Act

Amends RSA 2000 cR-4

37(1) The *Railway (Alberta) Act* is amended by this section.

(2) Section 7(3) is amended by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”.

(3) Sections 22(4) and 29(3) are amended by striking out “Surface Rights Board” and substituting “Land and Property Rights Tribunal”.

(4) Section 30(x) is repealed and the following is substituted:

- (x) for the purposes of conducting proceedings before the Land and Property Rights Tribunal with respect to matters under this Act,**
 - (i) prescribing the provisions of the *Expropriation Act*, the *Surface Rights Act* and the *Land and Property Rights Tribunal Act* that apply in whole or in part,**
 - (ii) defining terms used in this Act that are not otherwise defined under this Act,**
 - (iii) modifying any provisions prescribed under subclause (i), and**
 - (iv) generally governing proceedings before the Land and Property Rights Tribunal;**

Reform of Agencies, Boards and Commissions Compensation Act

Amends SA 2016 cR-8.5

38(1) The *Reform of Agencies, Boards and Commissions Compensation Act* is amended by this section.

(2) The Schedule is amended

- (a) by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”;**
- (b) by striking out the following:**

Municipal Government Board
New Home Buyer Protection Board
Surface Rights Board

Safety Codes Act

Amends RSA 2000 cS-1

39(1) The *Safety Codes Act* is amended by this section.

(2) Section 29(3) is amended by striking out “Municipal Government Board established under section 486(1) of the *Municipal Government Act*” and substituting “Land and Property Rights Tribunal established under the *Land and Property Rights Tribunal Act*”.

Water Act

Amends RSA 2000 cW-3

40(1) The *Water Act* is amended by this section.

(2) Section 158 is amended

- (a) by striking out “Land Compensation Board” wherever it occurs and substituting “Land and Property Rights Tribunal”;**
- (b) in subsection (3)**
 - (i) in clause (a) by striking out “section 28 of the *Expropriation Act*” and substituting “under the *Land and Property Rights Tribunal Act*”;**
 - (ii) in clause (b) by striking out “section 28 of the *Expropriation Act* and the requirements of section 32 of that Act” and substituting “the *Land and Property Rights Tribunal Act* and the requirements of section 32 of the *Expropriation Act*”.**

(3) Section 169(2)(bb) is amended by striking out “Land Compensation Board” and substituting “Land and Property Rights Tribunal”.

Coming into Force

Coming into force

41 This Act has effect on June 2, 2021.



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