



Province of Alberta

CITIZENSHIP ACT (CANADA)  
AND  
AGRICULTURAL AND RECREATIONAL LAND  
OWNERSHIP ACT (ALBERTA)

**FOREIGN OWNERSHIP OF LAND  
REGULATIONS**

**Alberta Regulation 160/1979**

With amendments up to and including Alberta Regulation 288/2009

Office Consolidation

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(Consolidated up to 288/2009)

**ALBERTA REGULATION 160/79**

**Citizenship Act (Canada)  
and  
Agricultural and Recreational Land  
Ownership Act (Alberta)**

**REGULATIONS RESPECTING THE OWNERSHIP OF  
AGRICULTURAL AND RECREATIONAL LAND IN ALBERTA**

**Short Title**

**1** These Regulations may be cited as the *Foreign Ownership of Land Regulations*.

AR 160/79 s1

**Interpretation**

**2** In these Regulations,

“Act” means the *Citizenship Act* (Canada);

“controlled land” means land in Alberta but does not include

- (a) land of the Crown in right of Alberta,
- (b) land within the boundaries of a city, town, new town, village or summer village, and
- (c) mines and minerals;

“corporation” means a corporation with or without share capital;

“foreign controlled corporation” means

- (a) a corporation incorporated elsewhere than in Canada,
- (b) in the case of a public corporation whose shares are not traded on a stock exchange in Canada or a private corporation, a corporation
  - (i) the percentage of foreign ownership of which calculated under section 13 is 50% or greater, or

- (ii) that is the last in a succession of corporations the outstanding shares of each of which are more than 50% owned by its predecessor in the succession of corporations if the outstanding shares of any of the corporations in the succession are more than 50% held by ineligible persons or by any other corporation the percentage of foreign ownership of which calculated under section 13 is 50% or greater,

or

- (c) in the case of a public corporation whose shares are traded on a stock exchange in Canada, a corporation
  - (i) less than 2/3 of whose directors are Canadian citizens or permanent residents, or
  - (ii) in which 50% or more of its outstanding shares are held in blocks of 5% or more by ineligible persons or corporations the percentage of foreign ownership of which calculated under section 13 is 50% or greater;

“ineligible person” means

- (a) an individual who is not a Canadian citizen or a permanent resident,
- (b) the government of a country other than Canada or a political subdivision of a country other than Canada, or any agency of such government or political subdivision, or
- (c) a corporation incorporated elsewhere than in Canada;

“limited partnership” means a limited partnership to which *The Partnership Act (Alberta)* applies or to which sections 48 to 66 of chapter 230 of the Revised Statutes of Alberta, 1955 continue to apply;

“Minister” means the Associate Minister of Public Lands and Wildlife;

“parcel” means an area of land the boundaries of which are

- (a) shown on a plan registered or filed in a land titles office, or
- (b) described in the certificate of title to the land,

and that has not been divided into smaller areas by an instrument or plan registered or filed in a land titles office, other than a registered road plan or right of way plan, or by a natural boundary shown on a plan registered in a land titles office;

“permanent resident” means a permanent resident within the meaning of the *Immigration and Refugee Protection Act* (Canada);

“private corporation” means a corporation incorporated under the laws of Canada or a province of Canada that by its memorandum, articles, by-laws, charter or regulations,

- (a) in the case of a corporation having share capital,
  - (i) restricts or prohibits the right to transfer any of its shares,
  - (ii) limits the number of its members to 50 or less (exclusive of persons who are in the employment of the corporation, and persons who, having been formerly in the employment of the corporation, were while in that employment and have continued after the termination of that employment to be members of the corporation), but where 2 or more persons hold one or more shares in the corporation jointly they shall, for the purposes of this definition, be treated as a single member, and
  - (iii) prohibits an invitation to the public to subscribe for any shares or debentures of the corporation,

or

- (b) in the case of a corporation not having share capital,
  - (i) limits the number of its members to 50 or less (exclusive of persons who are in the employment of the corporation, and of persons who having been formerly in the employment of the corporation were, while in that employment and continued after the termination of that employment to be members of the corporation),
  - (ii) prohibits an invitation to the public to become members or to subscribe for debentures of the corporation, and

- (iii) restricts or prohibits a transfer of the interest of a member in the corporation;

“public corporation” means a corporation incorporated under the laws of Canada or a province of Canada that is not a private corporation.

AR 160/79 s2;288/2009

### **Effective Control of Corporation**

**3** A corporation that is a foreign controlled corporation is, for the purposes of the Act and these Regulations, effectively controlled by persons who are not Canadian citizens.

AR 160/79 s3

### **Prohibition**

**4(1)** Subject to these Regulations, no ineligible person or foreign controlled corporation shall take or acquire, directly or indirectly, an interest in controlled land.

**(2)** Nothing in subsection (1) affects the succession by any person to an interest in controlled land arising out of the death of a person.

AR 160/79 s4

### **General**

**5(1)** An ineligible person or foreign controlled corporation may take or acquire, directly or indirectly, an interest in controlled land if as a result of that taking or acquisition the ineligible person or foreign controlled corporation will own or beneficially own interests in controlled land consisting of not more than 2 parcels containing, in the aggregate, not more than 20 acres.

**(2)** Subject to subsection (3), an ineligible person or foreign controlled corporation that owns or beneficially owns, as a tenant in common, an interest in a parcel of controlled land is considered to own or beneficially own an interest in that area of controlled land equal to the product obtained by multiplying the area of the parcel by the extent, expressed in a percentage, of the ineligible person’s or foreign controlled corporation’s interest in the parcel of controlled land.

**(3)** No ineligible person or foreign controlled corporation shall as a tenant in common take or acquire, directly or indirectly, an interest in a parcel of controlled land that is greater than 20 acres in area if as a result of that taking or acquisition more than 5 ineligible persons or foreign controlled corporations will own or beneficially

own, as tenants in common, that interest in the parcel of controlled land.

**(4)** Foreign controlled corporations that are associated with one another as determined under section 256 of the *Income Tax Act* (Canada) shall be considered as a single corporation for the purposes of this section, but in determining whether and at what time foreign controlled corporations are associated for the purposes of this section, subsection 256(1) of the *Income Tax Act* (Canada) shall be read as though the words “at any time in the year” were struck out.

AR 160/79 s5

**6** An ineligible person or foreign controlled corporation may take or acquire a lease of controlled land for a term of 20 years or less, other than a lease that contains a provision by which its term may be extended or renewed so that the period in which the lease is in effect will exceed 20 years, if the lease is registered in a land titles office within 60 days of its being made.

AR 160/79 s6

**7** An ineligible person or foreign controlled corporation may take or acquire an option to purchase an interest in controlled land if

- (a) the option to purchase is exercisable within a period of one year from its effective date and not afterwards, and
- (b) the option to purchase contains a condition that it may be exercised only in favour of the ineligible person or foreign controlled corporation when the ineligible person or foreign controlled corporation becomes eligible to acquire the interest under these Regulations.

AR 160/79 s7

### **Application**

**8(1)** Subject to subsection (2), these Regulations, except for sections 22 to 25, do not apply in respect of the following:

- (a) a right of entry order under *The Surface Rights Act* (Alberta);
- (b) an interest in controlled land acquired for a purpose for which a right of entry order under *The Surface Rights Act* (Alberta) may be granted;
- (c) the taking or acquisition of an interest in controlled land for the purpose of establishing an industrial, processing, manufacturing, commercial or transportation facility if the

- area of controlled land in respect of which the interest is taken or acquired does not exceed 80 acres for any separate facility;
- (d) the taking or acquisition of an interest in controlled land for the purpose of the construction of
    - (i) a pipeline, a processing plant, an installation, a manufacturing plant, a marketing plant, or a refinery as those words are defined in *The Pipeline Act, 1975* (Alberta), or
    - (ii) a transmission line, power plant or an electric distribution system as defined in *The Hydro and Electric Energy Act* (Alberta), or
    - (iii) a system as defined in *The Alberta Government Telephones Act* (Alberta);
  - (e) the taking or acquisition of an interest in controlled land for the purpose of extracting sand, gravel, clay or marl if the area of controlled land in respect of which the interest is taken or acquired does not exceed 160 acres for any separate project or development;
  - (f) the taking or acquisition of an interest in controlled land for the purpose of establishing a residence or carrying out a residential development if
    - (i) in the opinion of the Minister or any person authorized by him, the land is located in an area in which the establishment of a residence or subdivision for the purposes or residential development is or will likely be permitted, and
    - (ii) the area of controlled land in respect of which the interest is taken or acquired does not exceed
      - (A) in the case of a single residence, 20 acres, or
      - (B) in the case of a residential development, 80 acres for any separate development;
  - (g) the taking or acquisition of an interest in controlled land pursuant to section 30 of *The Water, Gas, Electric and Telephone Companies Act* (Alberta);
  - (h) the taking or acquisition of an interest in controlled land by a foreign state for diplomatic or consular purposes;

- (i) the taking or acquisition of an interest in controlled land by a person as the executor or administrator of the estate of a deceased person;
- (j) an order of a court charging an interest in controlled land for the benefit of a spouse or adult interdependent partner or child of the owner of that interest in controlled land;
- (k) a burial lot or plot to which *The Cemeteries Act* (Alberta) applies.

**(2)** If an interest in controlled land is taken or acquired by an ineligible person or foreign controlled corporation for any of the purposes set out in paragraphs (1)(b) to (f), the ineligible person or foreign controlled corporation, or any associated corporation to which the interest in controlled land is transferred under section 12, shall

- (a) divest himself or itself, as the case may be, of the interest in controlled land within 3 years of completion or termination of the purpose set out in paragraphs (1)(b) to (f) for which the interest was taken or acquired,
- (b) if reclamation is required in respect of the land, divest himself or itself, as the case may be, of the interest in controlled land within 3 years of the completion of the reclamation,
- (c) if the purpose set out in paragraphs (1)(b) to (f) for which the interest was taken or acquired is not proceeded with, divest himself or itself, as the case may be, of the interest in controlled land within 3 years of the time at which the ineligible person or foreign controlled corporation, in the opinion of the Minister or any person authorized by him, became aware that the purpose would not proceed, or
- (d) if an interest in more than the required area of controlled land is taken or acquired and the area of controlled land actually required is less than 50% of the area taken or acquired and may be separated from the area not required, subdivide off the area not required and divest himself or itself, as the case may be, of the interest in controlled land in respect of the area of controlled land so subdivided off within 3 years of it being so subdivided off.

AR 160/79 s8;109/2003

**9(1)** Subject to subsection (2), an ineligible person or foreign controlled corporation may acquire an interest in controlled land that he could not otherwise acquire under these Regulations by way of

- (a) the completion of a purchase under an agreement for sale or interim agreement,
- (b) the exercising of an option to purchase,
- (c) the foreclosure of a mortgage, or
- (d) the specific performance of an agreement for sale,

made or given in writing before April 26, 1977 if, in the case of paragraph (a) or (b), the agreement for sale, interim agreement or option to purchase is registered in a land titles office by August 1, 1979.

**(2)** Subsection (1) does not apply where a transfer or caveat, as those words are defined or used in *The Land Titles Act* (Alberta), relating to

- (a) the completion of a purchase under an agreement for sale or an interim agreement, or
- (b) the exercising of an option to purchase,

in respect of an area of controlled land consisting of 5000 or more acres that is used in a single operation for the production of food or fibre, has not been registered under *The Land Titles Act* (Alberta).

AR 160/79 s9

**10** An ineligible person or foreign controlled corporation that was, prior to April 26, 1977, the beneficiary of a trust that prior to April 26, 1977 owned an interest in controlled land may take or acquire that interest in controlled land from the trust in accordance with its terms.

AR 160/79 s10

**11** Subject to section 2(2) of *The Dower Act* (Alberta), nothing in these Regulations affects any right under that Act accruing to any person.

AR 160/79 s11;251/2001

**12(1)** A transfer by a foreign controlled corporation of an interest in controlled land to a foreign controlled corporation that is associated with it, as described in subsection 5(4), or a change in the manner in which an interest in controlled land is owned by an ineligible person or a foreign controlled corporation is not, for the purposes of these Regulations, the taking or acquisition of that interest in controlled land by the associated foreign controlled corporation, the ineligible person or the foreign controlled corporation, as the case may be.

**(2)** Notwithstanding subsection (1), subsections 22(1) and (2) apply to a transfer referred to in subsection (1).

AR 160/79 s12;31/80

### **Percentage of Foreign Ownership**

**13(1)** For the purposes of this section and section 2, a person holds a share or membership in a corporation if

- (a) that person owns the share or holds the membership,
- (b) in the case of a share or membership that is held in trust, that person is the beneficiary of the trust, or
- (c) that person, not being the owner of the share or membership, controls any rights attached to the share or membership through a contract or other arrangement.

**(2)** If a share or membership in a corporation is held jointly by 2 or more persons, each person is considered to hold a fraction of that share or membership in relation to the extent of his interest in the share or membership.

**(3)** The percentage of foreign ownership of a corporation with share capital is the sum of

- (a) the percentage of its outstanding shares held by ineligible persons,
- (b) in the case of each other corporation incorporated in Canada with share capital that holds any of the first corporation's shares, the product of the percentage of the outstanding shares of the first corporation held by that other corporation multiplied by the percentage of the outstanding shares of that other corporation held by ineligible persons, and
- (c) in the case of each other corporation incorporated in Canada without share capital that holds any of the first corporation's shares, the product of the percentage of the outstanding shares of the first corporation held by that other corporation multiplied by the percentage of the members of that other corporation who are ineligible persons.

**(4)** The percentage of foreign ownership of a corporation without share capital is the sum of

- (a) the percentage of the persons holding memberships in the corporation who are ineligible persons,

- (b) in the case of each other corporation incorporated in Canada with share capital that holds a membership in the first corporation, the percentage of the shares of that other corporation held by ineligible persons divided by the number of members of the first corporation, and
- (c) in the case of each other corporation incorporated in Canada without share capital that holds a membership in the first corporation, the percentage of the members of that other corporation who are ineligible persons divided by the number of members of the first corporation.

AR 160/79 s13

### Exclusions from Regulations

**14(1)** The Lieutenant Governor in Council may, subject to any conditions specified in the exclusion, exclude from the operation of these Regulations

- (a) any person or class of persons,
- (b) any transaction or class of transactions involving controlled land,
- (c) any interest or class of interest in controlled land,
- (d) any use or class of uses of controlled land, and
- (e) all or any part of the land within the boundaries of a hamlet as defined in *The Municipal Government Act* (Alberta).

**(2)** An exclusion made under the *Foreign Ownership of Land (Temporary) Regulations* shall be considered as an exclusion under subsection (1).

AR 160/79 s14

### Acquisition of Interest

**15(1)** For the purposes of the Act and these Regulations, a change in the membership or the ownership or beneficial ownership of the shares of a corporation owning or beneficially owning an interest in controlled land that results in the corporation becoming a foreign controlled corporation constitutes an acquisition of that interest in controlled land by the foreign controlled corporation.

**(2)** If, as a result of the operation of subsection (1), a foreign controlled corporation acquires an interest in controlled land the taking or acquisition of which would otherwise be prohibited by these Regulations, the foreign controlled corporation shall within 3

years of becoming a foreign controlled corporation divest itself of the ownership or beneficial ownership of the interest in controlled land so acquired unless it ceases to be a foreign controlled corporation for a continuous period of not less than 12 months during that 3-year period.

AR 160/79 s15

**16(1)** For the purposes of the Act and these Regulations, an amalgamation or merger of one or more corporations with a corporation that owns or beneficially owns an interest in controlled land constitutes an acquisition of that interest in controlled land by the amalgamated or merged corporation.

**(2)** If, as a result of the operation of subsection (1), a foreign controlled corporation acquires an interest in controlled land the taking or acquisition of which would otherwise be prohibited by these Regulations, the foreign controlled corporation shall, within 3 years of the amalgamation or merger, divest itself of the ownership or beneficial ownership of the interest in controlled land so acquired unless it ceases to be a foreign controlled corporation for a continuous period of not less than 12 months during that 3-year period.

AR 160/79 s16

**17(1)** An ineligible person or foreign controlled corporation may, as security for a loan or other indebtedness, acquire the ownership or beneficial ownership of a mortgage of an interest in controlled land, but a foreclosure of that mortgage constitutes an acquisition of the interest in controlled land obtained as a result of the foreclosure.

**(2)** If, as a result of the operation of subsection (1), an ineligible person or foreign controlled corporation acquires an interest in controlled land the taking or acquisition of which would otherwise be prohibited by these Regulations, the ineligible person or foreign controlled corporation shall, within 3 years of so acquiring the interest in controlled land, divest himself or itself, as the case may be, of the ownership or beneficial ownership of that interest in controlled land.

AR 160/79 s17

### **Trusts**

**18(1)** No ineligible person or foreign controlled corporation shall, as beneficiary of a trust, other than a trust resulting from the death of a person, acquire a beneficial interest in an interest in controlled land that he could not under these Regulations acquire directly.

(2) No trustee shall acquire for a trust of which he is trustee any interest in controlled land that would, if acquired, result in a beneficiary of the trust acquiring a beneficial interest in an interest in controlled land contrary to subsection (1).

AR 160/79 s18

### Limited Partnerships

**19(1)** In this section, “foreign controlled limited partnership” means a limited partnership in which one or more limited partners contributing in the aggregate 50% or more of the value of the outstanding contributions by limited partners to the partnership are ineligible persons or foreign controlled corporations.

(2) No general partner shall take or acquire, directly or indirectly, for a foreign controlled limited partnership an interest in controlled land that could not under these Regulations be taken or acquired by an ineligible person or foreign controlled corporation.

(3) A change in the contributions of a limited partnership that owns or beneficially owns an interest in controlled land that could not under these Regulations be taken or acquired by an ineligible person or foreign controlled corporation that results in the partnership becoming a foreign controlled limited partnership constitutes an acquisition of that interest in controlled land by the general partners of the foreign controlled limited partnership.

(4) If as a result of the operation of subsection (3) the general partners acquire an interest in controlled land contrary to subsection (2), the general partners shall within 3 years of the partnership becoming a foreign controlled limited partnership divest themselves of the ownership or beneficial ownership of the interest in controlled land so acquired unless the partnership ceases to be a foreign controlled limited partnership for a continuous period of not less than 12 months during that 3-year period.

(5) Nothing in this section affects the application of these Regulations to the taking or acquisition of an interest in controlled land by the general partners.

AR 160/79 s19

### Judicial Sale

**20(1)** If

- (a) an ineligible person, foreign controlled corporation, trustee, general partner of a foreign controlled limited partnership or any other person takes or acquires an interest in controlled land contrary to these Regulations, or

- (b) under these Regulations an ineligible person, foreign controlled corporation, trustee, general partner of a foreign controlled limited partnership or any other person is required to divest himself or itself of an interest in controlled land and does not do so within the time limited by these regulations,

the Supreme Court of Alberta or the District Court of Alberta may, on the application of the Attorney General of Alberta by way of originating notice, order the judicial sale of the interest in controlled land so required to be divested.

(2) The proceeds of a judicial sale made under subsection (1) shall be applied first to pay the costs of the judicial sale including the costs of the Attorney General in bringing the application for the judicial sale and secondly to pay to the ineligible person, foreign controlled corporation, trustee, general partner of a foreign controlled limited partnership or other person the amount paid by him or it for the interest in controlled land, and the amount, if any, remaining shall be paid into the General Revenue Fund of Alberta.

(3) Nothing in this section restricts, limits or derogates from any remedy at common law or under statute.

AR 160/79 s20

### Interpretation Act

**21** *The Interpretation Act* (Alberta) applies with respect to these Regulations.

AR 160/79 s21

### Information Under the Land Titles Act (Alberta)

**22(1)** The statutory declaration required to accompany a transfer, transmission, caveat or plan of subdivision by virtue of subsection 30.1(1) of *The Land Titles Act* (Alberta) is the statutory declaration set out in Form 1, 2, 3 or 4 in the Schedule that is applicable to the circumstances of the transfer, transmission, caveat or plan of subdivision.

(2) A statutory declaration referred to in subsection (1) shall be made by

- (a) the transferee, transmittee, caveator or lessee,
- (b) in the case of a corporation, a person authorized by the corporation to execute documents, or

- (c) a solicitor for the transferee, transmittee, caveator, lessee or corporation who is a member of The Law Society of Alberta

and shall contain all the information, so far as is applicable, for which provision is made in the respective Form.

(3) Repealed AR 31/80 s2.

(4) If none of Forms 1, 2, 3 and 4 is applicable to the transfer, transmission, caveat or plan of subdivision, a statutory declaration is not required.

AR 160/79 s22;31/80

### Information in Respect of Corporations

**23** Repealed AR 251/2001 s11.

**24** Any

- (a) company or extra-provincial company as defined in *The Companies Act* (Alberta),
- (b) credit union as defined in *The Credit Union Act* (Alberta),
- (c) society as defined in *The Societies Act* (Alberta),
- (d) cooperative as defined in the *Cooperatives Act* (Alberta),  
or
- (e) religious society incorporated under *The Religious Societies' Lands Act* (Alberta)

that is required to file with the Registrar of Companies Form C.C.A.-06.062 Annual Corporate Summary shall include in it the following information in the form provided for by Form C.C.A.-06.062:

- (f) whether or not it owns controlled land;
- (g) whether or not it is a foreign controlled corporation;
- (h) in the case of a private corporation, with respect to each of its shareholders
  - (i) the number of shares held and the percentage of the total outstanding shares that those shares represent,  
and

- (ii) whether or not the shareholder is a Canadian citizen or permanent resident;
- (i) in the case of a public corporation, with respect to each of its shareholders owning 5% or more of the outstanding shares of the corporation
  - (i) the number of shares held and the percentage of the total outstanding shares that those shares represent, and
  - (ii) whether or not the shareholder is a Canadian citizen or permanent resident;
- (j) whether any of its shares or memberships are held in trust for or on behalf of an ineligible person or foreign controlled corporation;
- (k) whether any of the rights attached to its shares or memberships are controlled by an ineligible person or foreign controlled corporation.

AR 160/79 s24;288/2009

### Information to Minister

**25(1)** The Minister or any person authorized by him may require such evidence, verified by statutory declaration or otherwise, as he considers necessary for the purpose of determining whether or not

- (a) the registration of a transfer, transmission or caveat as those words are defined or used in *The Land Titles Act* (Alberta) will result or has resulted in a contravention of these Regulations,
- (b) a person is an ineligible person, foreign controlled corporation or foreign controlled limited partnership, or
- (c) the information supplied pursuant to section 22, 23 or 24 of these Regulations is correct.

**(1.1)** Where the Minister or any person authorized by him has reasonable grounds to believe that a corporation has an interest in controlled land, the Minister or the authorized person may by notice in writing require the corporation to complete Form 5 and to submit Form 5 to the Minister within 60 days

- (a) after the date specified in the notice, and
- (b) after each anniversary date following the date specified in the notice.

(2) The Minister or any person authorized by him may direct the Registrar of Land Titles not to register a transfer, transmission or caveat until

- (a) he has received any evidence that he may have required under this section, and
- (b) he is satisfied that the registration of the transfer, transmission or caveat does not contravene these Regulations,

and on receiving such a direction the Registrar of Land Titles shall not register the transfer, transmission or caveat until permitted to do so by the Minister or any person authorized by him.

AR 160/79 s25;236/82

**Commencement**

26 These Regulations come into force on June 1, 1979.

AR 160/79 s26



**Form 1**

**Foreign Ownership of Land Regulations**

**Citizenship Declaration for Canadian Citizen(s) and Permanent Resident(s) (for Controlled Land Only)**

- Canadian Citizen(s)                       Permanent Resident(s)

CANADA	)	IN THE MATTER of the
	)	registration of the <u>(name type of</u>
PROVINCE OF ALBERTA	)	<u>instrument)</u> affecting the land
	)	described as <u>(insert abbreviated</u>
TO WIT:	)	<u>description)</u> containing <u>(acres or</u>
	)	<u>hectares)</u>
	)	)
	)	)
	)	_____
	)	(name of County, M.D., I.D. or
		Special Area)

I (WE) \_\_\_\_\_  
of \_\_\_\_\_ (full address including street, municipality and country.)

SOLEMNLY DECLARE THAT:

- 1. I (We) am (are) the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument and will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and I (we) am (are) a Canadian citizen(s).

or

I (We) am (are) the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument and will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and I (we) am (are) a permanent resident(s) within the meaning of the Immigration Act, 1976 (Canada).

Date Landed: \_\_\_\_\_, Port of Entry: \_\_\_\_\_.

Birth Date: \_\_\_\_\_, and my (our) previous country of permanent residency was: \_\_\_\_\_.

or

I am a member of the Law Society of Alberta and am the solicitor for the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument who will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and who is (are) a Canadian citizen(s) or permanent resident(s) within the meaning of the Immigration Act, 1976 (Canada). Date Landed: \_\_\_\_\_, Port of Entry: \_\_\_\_\_, Birth Date: \_\_\_\_\_, and his (her or their) previous country of permanent residency was: \_\_\_\_\_.

- 2. The true consideration paid or payable in respect of the transaction\* is as follows: (give full details of purchase or rental as applicable, including total price paid)
- 3. The present value of the land\*, in my opinion, is \$ \_\_\_\_\_ ("land includes buildings and other improvements affixed to the land")

\* Answer required only for transmissions, caveats and leases.

AND I (WE) MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

(SEVERALLY) DECLARED before me )  
 (print name of commissioner) ) \_\_\_\_\_  
 at the \_\_\_\_\_ of \_\_\_\_\_ ) (signature)  
 in the Province of \_\_\_\_\_ )  
 this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. ) Printed or stamped name  
 ) of Commissioner for  
 ) Oaths and date on which  
 ) appointment expires  
 \_\_\_\_\_ )  
 A Commissioner for Oaths in and for the )  
 Province of Alberta )

**Consent of Permanent Resident(s)**

I (We), being a permanent resident(s), give my (our) consent to the Department of Employment and Immigration (Canada) to disclose information concerning my (our) status in Canada to the Minister or someone authorized by him.

\_\_\_\_\_ (witness) \_\_\_\_\_ (signature)  
 AR 160/79 Form 1;31/80

**Form 2**

**Foreign Ownership of Land Regulations**

**Corporate Ownership Declaration  
 for Corporations that are  
 not Foreign Controlled  
 (For Controlled Land Only)**

Corporation Access Number: \_\_\_\_\_

CANADA )  
 ) IN THE MATTER of the  
 ) registration of the (name type of  
 PROVINCE OF ALBERTA ) instrument) affecting the land  
 ) described as (insert abbreviated  
 TO WIT: ) description) containing (acres or  
 ) hectares)  
 )  
 )  
 )  
 ) \_\_\_\_\_  
 ) (name of County, M.D., I.D. or  
 ) Special Area)

I (We) \_\_\_\_\_  
 of \_\_\_\_\_ (full address including street, municipality and country.)



Note: This Appendix is necessary only for a corporation with share capital. Limited Partnerships, Banks, Trust Companies and Insurance Companies do not have to complete this Appendix.

**SHAREHOLDERS**

List of Shareholders owning 5% or more of the outstanding shares: (Name and address)	Non-foreign controlled corporation, Canadian Citizen or Permanent Resident <sup>1</sup> Yes or No	Number and Class of Shares	% of Total Outstanding Shares	To the best of my knowledge the shareholder is the Beneficial Owner and controls the Rights Attached to the Shares Yes or No <sup>2</sup>

<sup>1</sup> If a permanent resident(s), Date Landed: \_\_\_\_\_, Port of Entry: \_\_\_\_\_, Birth Date: \_\_\_\_\_, and his (her or their) previous country of permanent residency was: \_\_\_\_\_.

<sup>2</sup> If any of the shares are held in trust or any of the rights attached to the shares are controlled through a contract or other arrangement by a person who does not own the share then list the person(s), who is (are) the ultimate beneficial owner(s) or who controls the rights attached to the shares, stating his (her or their) citizenship status and if a permanent resident the information as in one above.

List of Beneficial Owners of, or owners of the rights attached to, 5% or more of the outstanding shares: (name, address and citizenship status)

\_\_\_\_\_

Form 3

Foreign Ownership of Land Regulations

Citizenship and Corporate Ownership Declaration for Non-Canadians, Non-permanent Residents, and Foreign Controlled Corporations (For Controlled Land Only)

Corporation Access Number: \_\_

CANADA ) IN THE MATTER of the
) registration of the (name type of
) instrument) affecting the land
PROVINCE OF ) described as (insert abbreviated
ALBERTA ) description) containing (acres or
) hectares)
TO WIT: )
)
) (name of County, M.D., I.D or
) Special Area)

I (WE) \_\_\_\_\_ of
(full address including street, municipality and country.)

SOLEMNLY DECLARE THAT:

- 1. I (We) am (are) the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above instrument and will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and I (we) am (are) a citizen(s) of the country of \_\_\_\_\_ and am (are) not a permanent resident(s) within the meaning of the Immigration Act, 1976 (Canada).

or

I am a member of the Law Society of Alberta and am the solicitor for the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument who will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and who is (are) a citizen(s) of the country of \_\_\_\_\_ and is (are) not a permanent resident(s) within the meaning of the Immigration Act, 1976 (Canada).

or

(name of corporation(s))
of (mailing address)

is (are) the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument; will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person; and is (are) a “foreign controlled corporation(s)” as defined in the *Foreign Ownership of Land Regulations*. The majority of the shares or memberships are held by persons from the country of \_\_\_\_\_. I am a person authorized under section 22(2) of the *Foreign Ownership of Land Regulations* to sign on behalf of the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument.

2. The interest is being acquired under a statutory exemption, section \_\_\_\_\_ of the *Foreign Ownership of Land Regulations*. (If acquiring an interest under: 1) section 4(2), a copy of the letters probate or letters of administration must form an exhibit to this declaration and 2) section 9, a copy of the agreement must form an exhibit to this declaration.)

or

The interest is being acquired under O.C. No. \_\_\_\_\_ passed \_\_\_\_\_ (day/month/year) \_\_\_\_\_.

3. The true consideration paid or payable in respect of the transaction\* is as follows: (give full details of purchase or rental as applicable, including total price paid)
4. The present value of the land\*, in my opinion, is \$ \_\_\_\_\_ (“land includes buildings and all other improvements affixed to the land”)

\* Answer required only for transmissions, caveats and leases.

AND I (WE) MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

(SEVERALLY) DECLARED before me )  
 \_\_\_\_\_ (print name of commissioner) )  
 at the \_\_\_\_\_ of \_\_\_\_\_ ) \_\_\_\_\_  
 in the Province of \_\_\_\_\_ ) (signature)  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. ) \_\_\_\_\_  
 ) (signatory’s position with the  
 the \_\_\_\_\_ ) corporation, if applicable  
 (A Commissioner for Oath) )

AR 160/79 Form 3;31/80

Form 4

Foreign Ownership of Land Regulations

Citizenship and Corporate Ownership Declaration for Trustees\* (For Controlled Land Only)

\* If there is a succession of trustees then the ultimate beneficiary must be named in the body of this declaration and a description of the succession must be attached as an exhibit forming part of the declaration.

Corporation Access Number: (for beneficiary of the trust)

CANADA ) IN THE MATTER of the
) registration of the (name type of
PROVINCE OF ) instrument) affecting the land
ALBERTA ) described as (insert abbreviated
) description) containing (acres or
TO WIT: ) hectares)
)
) (name of County, M.D., I.D or
) Special Area)

I (WE) \_\_\_\_\_ of
(full address including street, municipality and country.)

SOLEMNLY DECLARE THAT:

- 1. I (We) am (are) the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument and the item completed in the Section A which follows (or the item marked in Section B and the item marked in Section C which follow) applies in respect of the transaction represented by the above instrument.

or

I am a member of the Law Society of Alberta and am the solicitor for or I am a person authorized under section 22(2) of the Foreign Ownership of Land Regulations to sign on behalf of the transferee(s), transmittee(s), caveator(s) or lessee(s) named in the above described instrument and the item marked in Section A which follows (or the item marked in Section B and the item marked in Section C which follow) applies in respect of the transaction represented by the above instrument.

A. Persons or Corporations which are not ineligible persons or foreign controlled corporations.

I (We) am (are) or the transferee(s), transmittee(s), caveator(s) or lessee(s) is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ of \_\_\_\_\_ who will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and who is (are) a Canadian citizen(s) or permanent resident(s) within the meaning of the *Immigration Act, 1976* (Canada). Date Landed: \_\_\_\_\_, Port of Entry: \_\_\_\_\_, Birth Date: \_\_\_\_\_ and his (her or their) previous country of permanent residency was: \_\_\_\_\_.

or

I (We) am (are) or the transferee(s), transmittee(s), caveator(s) or lessee(s) is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ of \_\_\_\_\_ which will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and which is (are) not a “foreign controlled corporation(s)” or “foreign controlled limited partnership(s)” as defined in the *Foreign Ownership of Land Regulations*.

or

The Corporation(s), \_\_\_\_\_, is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ of \_\_\_\_\_ who will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and who is (are) a Canadian citizen(s) or permanent resident(s) within the meaning of the *Immigration Act, 1976* (Canada). Date Landed: \_\_\_\_\_, Port of Entry: \_\_\_\_\_, Birth Date: \_\_\_\_\_ and his (her or their) previous country of permanent residency was: \_\_\_\_\_.

or

The Corporation(s), \_\_\_\_\_, is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ of \_\_\_\_\_ which will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and which is (are) not a “foreign controlled corporation(s)” or “foreign controlled limited partnership(s)” as defined in the *Foreign Ownership of Land Regulations*.

B. Ineligible Persons or Foreign Controlled Corporations

I (We) am (are) or the transferee(s), transmittee(s), caveator(s) or lessee(s) is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ from the Country of \_\_\_\_\_ who will hold the interest in the land beneficially and who is (are) not a permanent resident(s) within the meaning of the *Immigration Act, 1976* (Canada).

or

I (We) am (are) or the transferee(s), transmittee(s), caveator(s) or lessee(s) is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ of \_\_\_\_\_ which will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and which is a “foreign controlled corporation(s)” or “foreign controlled limited partnership(s)” as defined in the *Foreign Ownership of Land Regulations*. The majority of the shares or memberships are held by persons from the Country of \_\_\_\_\_.

or

The Corporation(s), \_\_\_\_\_, is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ from the Country of \_\_\_\_\_ who will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and who is (are) not a permanent resident(s) within the meaning of the *Immigration Act, 1976* (Canada).

or

The Corporation(s), \_\_\_\_\_, is (are) acting as trustee(s) for (or acting on behalf of) \_\_\_\_\_ of \_\_\_\_\_ which will hold the interest in the land beneficially and not as trustee(s) and not on behalf of any person and which is a “foreign controlled corporation(s)” or “foreign controlled limited partnership(s)” as defined in the *Foreign Ownership of Land Regulations*. The majority of the shares or memberships are held by persons from the Country of \_\_\_\_\_.

C. Claiming an Exemption for an interest in controlled land.

The interest is being acquired under a statutory exemption, section \_\_\_\_\_ of the *Foreign Ownership of Land Regulations*. (If acquiring an interest under: 1) section 4(2), a copy of the letters probate or letters of administration must form an exhibit to this declaration and 2) section 9, a copy of the agreement must form an exhibit to this declaration;

or

The interest is being acquired under O.C. No. \_\_\_\_\_ passed \_\_\_\_\_ (day/month/year) \_\_\_\_\_.

2. The true consideration paid or payable in respect of the transaction\* is as follows: (give full details of purchase or rental as applicable, including total price paid)
3. The present value of the land\*, in my opinion, is \$ \_\_\_\_\_  
 ("land includes buildings and all other improvements affixed to the land")  
 \*Answer required only for transmissions, caveats and leases.
4. The Appendix "A" annexed hereto correctly sets forth the required information for the corporation as of the date of this declaration. Information on shares for a public corporation may be computed as of a specific time as long as that time is within 3 months of the date of the transaction being registered, however, the balance of the declaration must be as of the date the declaration is sworn.

AND I (WE) MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

(SEVERALLY) DECLARED before me )  
 (print name of commissioner) )  
 at the \_\_\_\_\_ of \_\_\_\_\_ ) \_\_\_\_\_  
 in the Province of \_\_\_\_\_ ) (signature)  
 this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ )  
 ) \_\_\_\_\_  
 \_\_\_\_\_ ) (signatory's position with the  
 A Commissioner for Oaths ) corporation, if applicable)  
 )

**Consent of Permanent Resident(s)**

I (We), being a permanent resident(s), give my (our) consent to the Department of Employment and Immigration (Canada) to disclose information concerning my (our) status in Canada to the Minister or someone authorized by him.

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
(signature)

This is Appendix "A" to the Statutory Declaration of \_\_\_\_\_ declared before me the \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
A Commissioner for Oaths

NOTE: This Appendix is necessary only for a corporation with share capital which is the beneficiary of the trust. Limited Partnerships, Banks, Trust Companies and Insurance Companies do not have to complete this Appendix. If a corporation is declaring that it is a foreign controlled corporation, Appendix A does not have to be completed.

**SHAREHOLDERS**

List of Shareholders owning 5% or more of the outstanding shares: (Name and address)	Non-foreign controlled corporation, Canadian Citizen or Permanent Resident <sup>1</sup> Yes or No	Number and Class of Shares	% of Total Outstanding Shares	To the best of my knowledge the shareholder is the Beneficial Owner and controls the Rights Attached to the Shares Yes or No <sup>2</sup>

<sup>1</sup> If a permanent resident(s), Date Landed: \_\_\_\_\_, Port of Entry: \_\_\_\_\_, Birth Date: \_\_\_\_\_, and his (her or their) previous country of permanent residency was: \_\_\_\_\_.

<sup>2</sup> If any of the shares are held in trust or any of the rights attached to the shares are controlled through a contract or other arrangement by a person who does not own the share then list the person(s), who is (are) the ultimate beneficial owner(s) or who controls the rights

attached to the shares, stating his (her or their) citizenship status and if a permanent resident the information as in one above.

List of Beneficial Owners of, or owners of the rights attached to, 5% or more of the outstanding shares: (name, address and citizenship status)

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AR 160/79 Form 4;31/80



**Form 5**

**Annual Corporate Report of Corporations Owning Controlled Land**

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CORPORATION NAME \_\_\_\_\_  
 CORPORATION ADDRESS \_\_\_\_\_  
 STREET \_\_\_\_\_ ADDRESS CHANGED TO \_\_\_\_\_  
 CITY/PROV \_\_\_\_\_  
 P/CODE \_\_\_\_\_  
 CORPORATION ACCESS NO. \_\_\_\_\_ DATE REGISTERED IN ALBERTA \_\_\_\_\_

---

1. IS THE CORPORATION A FOREIGN CONTROLLED CORPORATION (AS DEFINED IN THE REGULATION\*)? YES \_\_\_ NO \_\_\_
2. DOES THE CORPORATION OWN CONTROLLED LAND (AS DEFINED IN THE REGULATION\*)? YES \_\_\_ NO \_\_\_
3. TOTAL NUMBER OF SHARES ISSUED BY THE CORPORATION VOTING \_\_\_\_\_ NON VOTING \_\_\_\_\_, SHAREHOLDERS/MEMBERS \_\_\_\_\_ IF MORE THAN 6 SHAREHOLDERS USE ATTACHMENT (THE ATTACHMENT WILL BE PART OF THIS DECLARATION)

---

NAME \_\_\_\_\_ (SURNAME/FIRST/INITIAL)  
 ADDRESS \_\_\_\_\_  
 CITY/PROV. \_\_\_\_\_  
 P/CODE \_\_\_\_\_  
 NO. OF SHARES VOTING \_\_\_\_\_ NON VOTING \_\_\_\_\_  
 ARE THESE SHARES OR ANY OF THEM HELD SUBJECT TO A TRUST? YES \_\_\_ NO \_\_\_  
 SHAREHOLDER AN INELIGIBLE PERSON (AS DEFINED IN THE REGULATION\*)? YES \_\_\_ NO \_\_\_

IF A CORPORATION, CORPORATION ACCESS NO. \_\_\_\_\_,

NAME \_\_\_\_\_ (SURNAME/FIRST/INITIAL)

ADDRESS \_\_\_\_\_

CITY/PROV. \_\_\_\_\_

P/CODE \_\_\_\_\_

NO. OF SHARES VOTING \_\_\_\_\_ NON VOTING \_\_\_\_\_

ARE THESE SHARES OR ANY OF THEM HELD SUBJECT TO A TRUST? YES \_\_\_ NO \_\_\_

SHAREHOLDER AN INELIGIBLE PERSON (AS DEFINED IN THE REGULATION\*)? YES \_\_\_ NO \_\_\_

IF A CORPORATION, CORPORATION ACCESS NO. \_\_\_\_\_,

NAME \_\_\_\_\_ (SURNAME/FIRST/INITIAL)

ADDRESS \_\_\_\_\_

CITY/PROV. \_\_\_\_\_

P/CODE \_\_\_\_\_

NO. OF SHARES VOTING \_\_\_\_\_ NON VOTING \_\_\_\_\_

ARE THESE SHARES OR ANY OF THEM HELD SUBJECT TO A TRUST? YES \_\_\_ NO \_\_\_

SHAREHOLDER AN INELIGIBLE PERSON (AS DEFINED IN THE REGULATION\*)? YES \_\_\_ NO \_\_\_

IF A CORPORATION, CORPORATION ACCESS NO. \_\_\_\_\_,

\*THE FOREIGN OWNERSHIP OF LAND REGULATIONS

I (WE) \_\_\_\_\_ OF \_\_\_\_\_ SOLEMNLY DECLARE THAT I AM \_\_\_\_\_ (PRESIDENT, SECRETARY, DIRECTOR, OFFICER, SOLICITOR) OF THE CORPORATION AND THAT THE INFORMATION SET FORTH ABOVE IS CORRECT AS OF THE DATE OF THIS DECLARATION AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

(SEVERALLY) DECLARED

BEFORE ME \_\_\_\_\_

AT THE \_\_\_\_\_ OF \_\_\_\_\_

IN THE PROVINCE OF \_\_\_\_\_

THIS DAY OF \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(A COMMISSIONER FOR OATHS)

\_\_\_\_\_  
(PRINT NAME)

\_\_\_\_\_  
(SIGNATORY'S POSITION WITH CORPORATION)

\_\_\_\_\_  
DATE