

2009 Bill 31

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Second Session, 27th Legislature, 58 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 31**

## **RULES OF COURT STATUTES AMENDMENT ACT, 2009**

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MR. DENIS

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 31*  
*Mr. Denis*

## **BILL 31**

2009

### **RULES OF COURT STATUTES AMENDMENT ACT, 2009**

*(Assented to , 2009)*

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

#### **Judicature Act**

**Amends RSA 2000 cJ-2**

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

**(2) Section 17 is amended by adding the following after  
subsection (3):**

**(4) Nothing in this section limits the authority of the Court, at  
or after the time that a judgment is granted, to stay the  
enforcement of the judgment or to remove or extend any stay  
already granted in respect of the judgment.**

## Explanatory Notes

### Judicature Act

1(1) Amends chapter J-2 of the Revised Statutes of Alberta 2000.

(2) Section 17 presently reads:

*17(1) In a proceeding*

- (a) for the recovery of a debt or liquidated demand,*
- (b) for the enforcement of a security or charge on land,*
- (c) for the determination or specific performance of an agreement for the sale of land, or*
- (d) for the possession of land,*

*the Court in its discretion may at any stage of the proceeding grant a stay of proceedings on any terms that the Court may prescribe, and in like manner the Court in its discretion may with or without imposing terms, after final judgment in any proceeding whatsoever, grant a stay of execution of an order for sale or of other similar process, including a stay of an order for possession of land, and may by an order granting the stay extend the time for payment of a judgment debt or the time for doing any act or making any payment prescribed by a previous order of the Court.*

**(3) Section 18(2) is amended by striking out “by motion in a summary way”.**

*(2) In a proceeding*

- (a) for the enforcement of a security or charge on farm land,*
- (b) for the determination or specific performance of an agreement for the sale of farm land, or*
- (c) for the possession of farm land,*

*the Court, notwithstanding the terms of an order or judgment previously made, shall grant a stay of proceedings when it appears that the default of the mortgagor, purchaser or other person is in whole or in part caused by the inability of the mortgagor, purchaser or other person to market grain by reason of lack of elevator space or by reason of the restrictions as to delivery of grain imposed under the Canadian Wheat Board Act (Canada) and the regulations under that Act.*

*(3) A stay granted under subsection (2) remains in force until set aside by the Court, but shall be set aside only on application after notice and on the Court being satisfied that the conditions existing at the time of the granting of the stay and by reason of which it was granted no longer exist.*

(3) Section 18(2) presently reads:

*(2) Nothing in subsection (1) disables the Court from directing, if it thinks fit, a stay of proceedings in a proceeding pending before it, and any person, whether a party or not to any proceeding at any time pending in the Court*

- (a) who would have been entitled formerly to apply to a court to restrain the prosecution of it, or*
- (b) who may be entitled to enforce by attachment or otherwise a judgment, decree, rule or order contrary to which all or part of the proceedings may be taken,*

*may apply to the Court by motion in a summary way for a stay of proceedings in the proceeding either generally or so far as might be necessary for the purposes of justice, and the Court shall on that application make any order that will be just.*

**(4) The following is added after section 28:**

## **Part 4.1 Rules of Court**

### **Rules of Court**

**28.1(1)** The Lieutenant Governor in Council may by regulation make rules governing

- (a) for the Court of Queen's Bench and the Court of Appeal,
  - (i) practice and procedure in the Court,
  - (ii) the duties of officers of the Court,
  - (iii) costs in matters before the Court,
  - (iv) the fees to be collected by officers of the Court, and
  - (v) the rates of fees, expenses and allowances payable to interpreters and witnesses,

and

- (b) for the Court of Queen's Bench,
  - (i) surrogate matters, and
  - (ii) judicial review in civil matters.

**(2)** The rules made by the Lieutenant Governor in Council under subsection (1) in relation to the practice and procedure in the Court may, subject to subsection (3), alter or conform to the substantive law.

**(3)** Subsection (2) does not authorize the making of rules that conflict with an Act of the Legislature or of the Parliament of Canada, or regulations made under those Acts, but the rules may supplement the provisions of an Act or regulation in respect of practice and procedure.

### **Rules of Court Committee**

**28.2(1)** The Rules of Court Committee established by the *Court of Queen's Bench Act* is continued and consists of the following members:

(4) Adds Part 4.1, Rules of Court.

- (a) the Chief Justice of Alberta or a judge of the Court of Appeal designated by the Chief Justice of Alberta;
  - (b) the Chief Justice of the Court of Queen's Bench of Alberta or a judge of the Court of Queen's Bench designated by the Chief Justice of the Court of Queen's Bench of Alberta;
  - (c) the Chief Judge of The Provincial Court of Alberta or a judge of the Provincial Court designated by the Chief Judge;
  - (d) 2 persons who are members of the Law Society of Alberta appointed by the Minister from among those recommended by the Benchers of the Law Society of Alberta;
  - (e) one other person appointed by the Minister.
- (2) The Committee shall elect one of its members as chair.
- (3) The Committee shall meet as occasion requires to consider the rules of court made under this Act and any other Act and may make recommendations respecting those rules of court to the Minister.
- (4) The Committee may create, amend or delete information notes and other informational guides for the assistance of users of the *Alberta Rules of Court*.
- (5) A person appointed by the Minister under subsection (1)(d) or (e) serves for a term not to exceed 7 years and may be reappointed for one additional term.
- (6) The members of the Committee shall serve without remuneration, but the Minister may pay the reasonable travel and living expenses incurred by the members in the performance of their duties under this section.
- (7) The Minister shall provide to the Committee those legal, secretarial and other services that the Minister considers appropriate.





**Ministerial regulations**

**28.3** The Minister may make regulations respecting court-annexed dispute resolution processes.

**(5) Section 29(3) is amended by striking out** “in the office of the Clerk of the Court for the judicial district in which” **and substituting** “with the court clerk at the judicial centre at which”.

**(6) Section 61 is amended by striking out** “taxation” **and substituting** “assessment”.

**Civil Enforcement Act**

**Amends RSA 2000 cC-15**

**2(1) The *Civil Enforcement Act* is amended by this section.**

**(2) Section 2(c) is repealed and the following is substituted:**

- (c) on registration of a writ in the Personal Property Registry, that writ may be enforced, and any civil enforcement proceedings in respect of that writ may be carried out, anywhere in Alberta;

(5) Section 29(3) presently reads:

*(3) An order of a judge of the Court made under statutory authority as mentioned in subsection (1) may be filed in the office of the Clerk of the Court for the judicial district in which the matter is heard.*

(6) Section 61 presently reads:

*61 In any proceeding to which Her Majesty is a party, either as represented by the Minister of Justice and Attorney General of Alberta or otherwise, costs adjudged to Her Majesty shall not be disallowed or reduced on taxation merely because the solicitor or the counsel who earned the costs or in respect of whose services the costs are charged*

- (a) was a salaried officer of the Crown performing those services in the discharge of the officer's duty and remunerated for it by the officer's salary, or*
- (b) was for that or any other reason not entitled to recover any costs from the Crown in respect of the services so rendered,*

*and the costs recovered by or on behalf of Her Majesty in any such case must be paid into the General Revenue Fund.*

### **Civil Enforcement Act**

**2(1)** Amends chapter C-15 of the Revised Statutes of Alberta 2000.

(2) Section 2(c) presently reads:

*2 The following applies with respect to the carrying out of civil enforcement proceedings:*

- (c) on registration of a writ in the Personal Property Registry, that writ may be enforced anywhere in Alberta and any civil enforcement proceedings in respect of that writ may be carried out without regard to judicial districts or other geographical divisions within Alberta;*

**(3) Section 5 is amended**

**(a) by adding the following after subsection (1):**

**(1.1)** An application under this Act

- (a) must be made by way of an application to the Court, and
- (b) shall not be made ex parte unless it is expressly authorized under this Act or the *Alberta Rules of Court* to be made ex parte.

**(b) by adding the following after subsection (2):**

**(3)** Where the Court stays the enforcement of rights by order under subsection (2)(d),

- (a) the order may be registered in the Personal Property Registry, and
- (b) until the order is registered in the Personal Property Registry, the order does not affect any person who does not have actual knowledge of the order.

(3) Section 5 presently reads:

*5(1) The Court may, on application by an interested party or an agency, give directions in respect of or determine any matter or issue that arises out of any civil enforcement proceedings.*

*(2) On considering an application under this Act, the Court may do any one or more of the following:*

- (a) make any order, including a binding declaration of right and injunctive relief, that is necessary to ensure compliance with this Act or to ensure protection of the interests of any person in property that is subject to civil enforcement proceedings;*
- (b) give directions to any person regarding the exercise of that person's rights or performance of that person's functions or duties under this Act;*
- (c) give directions respecting the carrying out of civil enforcement proceedings;*
- (d) stay enforcement of rights provided in this Act;*
- (e) direct that an enforcement creditor replace another enforcement creditor as the instructing creditor;*
- (f) abridge any period of time provided for under this Act;*
- (g) in the case of an application made under a provision of this Act other than subsection (1), give any other order, direction or relief that is permitted or otherwise provided for under that provision;*
- (h) make an order granted under this Act subject to any terms or conditions that the Court considers appropriate in the circumstances;*
- (i) except where this Act provides otherwise, make any other order or direction in respect of matters coming under this Act that the Court considers appropriate in the circumstances;*
- (j) award costs.*

**(4) The following is added after section 13:**

**Fees and interest**

**13.1** In addition to the amount recovered by the judgment, there may be levied under any writ of enforcement

- (a) the fees and expenses incurred in enforcing the writ of enforcement, and
- (b) interest on the amount recovered.

**Rendering of account**

**13.2** An agency that has rendered a statement of account for the provision of services under this Act shall, at the request of an enforcement debtor or a creditor of the enforcement debtor, provide to that person a detailed account of all fees and disbursements for which the statement of account was rendered.

**(5) The following is added before section 26:**

**Issuing of writs**

**25.1(1)** A judgment creditor may require the court clerk of the judicial centre where the judgment has been entered to issue in respect of the judgment at any time that the judgment is in force a writ of enforcement in the form required by the Minister.

**(2)** Notwithstanding subsection (1), if the judgment is for payment within a specified period, the court clerk shall not issue the writ of enforcement until after the expiry of that period.

**Assignment**

**25.2(1)** A judgment creditor may, without an order of the Court, make a total or partial assignment of the writ to another person.

**(2)** The court clerk, on being satisfied that all of the judgment creditor's rights under a writ have been assigned, may, without an order of the Court, amend the writ to show the name of the assignee.

**(3)** The court clerk, on being satisfied that a portion of the judgment creditor's rights under a writ have been assigned may, without an order of the Court, divide the writ and issue

(4) Fees and interest; rendering of account.

(5) Issuing of writs; assignment; endorsement.

- (a) a replacement writ to the judgment creditor indicating the amount that remains owing to the judgment creditor under the writ, and
- (b) a replacement writ to the assignee indicating the amount that is owing to the assignee under the writ.

(4) Where a replacement writ is issued under subsection (3), that writ

- (a) stands in the place of the writ that is being replaced, and
- (b) must be dated with the same date as that shown on the writ that is being replaced.

**Endorsement**

**25.3** If a writ of enforcement is issued for the purpose of enforcing the payment of money that is directed to be paid into Court, the judgment creditor or other person preparing the writ must, prior to the clerk's issuing the writ, state on the writ that all money paid under the writ, other than costs, must be paid into Court.

**(6) The following is added after section 46:**

**Sale and disposal of personal property**

**46.1(1)** A person may apply to the Court for authority to sell or dispose of any personal property of an enforcement debtor.

(2) Unless otherwise directed or approved by the Court, an application under subsection (1) must be made on 7 days' notice to the enforcement debtor.

**(7) The following is added after section 77:**

**Irregularity**

**77.1** Notwithstanding the powers of the Court under section 5(2), a garnishee summons shall not be set aside for an irregularity unless in the opinion of the Court the irregularity has prejudiced the debtor or garnishee.

**(8) Section 101(1) is amended**

- (a) in clause (d)



(6) Sale and disposal of personal property.

(7) Irregularity.

(8) Section 101(1)(d) and (d.1) presently read:

*(d) a person who has made an objection in accordance with clause (b) is deemed to have withdrawn the objection unless,*

- (i) **by striking out** “a notice of motion” **and substituting** “an application”;
- (ii) **by striking out** “the notice of motion” **and substituting** “the application”;

**(b) in clause (d.1)**

- (i) **by striking out** “rules or practice of the Court” **and substituting** “regulations and the *Alberta Rules of Court*”;
- (ii) **by striking out** “the notice of motion” **and substituting** “the application”.

**(9) Section 103(2) is amended by striking out** “solicitor and client costs” **and substituting** “costs on the basis of a lawyer’s charges to a client”.

**(10) Section 106 is amended by adding the following after subsection (2):**

- (3) The Lieutenant Governor in Council may make regulations
  - (a) governing
    - (i) the service or giving of documents under this Act, and
    - (ii) when notices or other documents are considered to have been given for the purpose of determining whether a person has a related writ;
  - (b) governing applications to the Court under this Act and the relief that may be granted by the Court in respect of those applications;

*within 15 days from the day of serving the notice of objection on the distributing authority, that person*

*(i) files with the Court, and*

*(ii) serves on the distributing authority,*

*a notice of motion, returnable not more than 30 days from the day that the notice of motion is filed, for an order determining the matter in respect of which the objection was made;*

*(d.1) a person who has made an objection must, in accordance with the rules or practice of the Court, serve the notice of motion referred to in clause (d) on the persons interested in the matter;*

(9) Section 103(2) presently reads:

*(2) The Court may direct that insofar as the costs, including solicitor and client costs, of proceedings referred to in subsection (1) are not paid by an adverse party, those costs must be paid out of a distributable fund that results from or is preserved by the proceedings.*

(10) Additional regulation-making powers.

- (c) subject to any provisions of this Act respecting writs, governing
  - (i) the determination of amounts that remain outstanding or otherwise owing on writs;
  - (ii) the period of time within which a writ may be issued by the clerk;
  - (iii) the period of time during which a writ remains in force;
  - (iv) the renewal of writs;
  - (v) the amending of writs;
- (d) governing the examination of and information to be provided by persons for the purposes of
  - (i) determining or verifying the identity of an enforcement debtor, and
  - (ii) determining the ability of
    - (A) an enforcement debtor to satisfy the claims of an enforcement creditor, and
    - (B) a person who is subject to the right of distress to satisfy the claim of a person who has the right of distress;
- (e) subject to the provisions of this Act respecting garnishment, governing
  - (i) the issuing and service of garnishee summons;
  - (ii) the time at which a garnishee summons attaches a current obligation or future obligation;
  - (iii) the amount payable under a garnishee summons;
  - (iv) the payment of money into Court by a garnishee;
  - (v) the information to be provided by a garnishee;



- (vi) the amount payable to a garnishee as compensation for carrying out the garnishee's duties;
  - (vii) the liability incurred for not complying with a garnishee summons and the provisions of this Act governing garnishment;
  - (viii) the handling of funds received under garnishment;
  - (ix) the provision of information by the clerk;
  - (x) the making of objections with respect to garnishment;
  - (xi) the garnishment, when a garnished obligation arises or becomes payable on the satisfaction of a condition;
  - (xii) the renewal of garnishee summonses;
  - (xiii) the disclosure by the garnishee of the address of the enforcement debtor;
- (f) for the purposes of Division 2 of Part 6, prescribing
- (i) the circumstances in which service of a notice of seizure on a transfer agent of an issuer constitutes service on the issuer, and
  - (ii) the duties of the transfer agent when served with a notice of seizure;
- (g) prescribing, with respect to an issuer or intermediary under Division 2 of Part 6 or with respect to a garnishee,
- (i) a grace period following service of a notice of seizure on an issuer or intermediary or a garnishee summons on a garnishee during which the issuer, intermediary or garnishee is not subject to the duties that would otherwise arise by virtue of that service, and
  - (ii) the conditions, if any, that must be met for an issuer, intermediary or garnishee to receive the benefit of the grace period;



- (h) governing the enforcement of a writ of possession and the disposition of any personal property removed from a location or premises.

**(11) The following is added after section 106:**

**Forms**

**106.1** The Minister may make regulations respecting forms for the purposes of this Act.

**(12) Section 107 is repealed.**



(11) Forms.

(12) Section 107 presently reads:

*107(1) The Lieutenant Governor in Council may by regulation make rules*

*(a) governing*

*(i) the service or giving of documents under this Act, and*

*(ii) when notices or other documents are considered to have been given for the purpose of determining whether a person has a related writ;*

*(b) subject to any provision of this Act respecting applications to the Court, governing the applications made to the Court under this Act and the relief that may be granted by the Court in respect of those applications;*

*(c) subject to any provisions of this Act respecting writs, governing*

*(i) the determination of amounts that remain outstanding or otherwise owing on writs;*

*(ii) the period of time within which a writ may be issued by the clerk;*

*(iii) the period of time during which a writ remains in force;*

*(iv) the renewal of writs;*

*(v) the amending of writs;*

*(d) governing the examination of and information to be provided by persons for the purposes of determining*



- (i) *the identity of or verifying the identity of an enforcement debtor, and*
- (ii) *the ability of*
  - (A) *an enforcement debtor to satisfy the claims of an enforcement creditor, and*
  - (B) *a person who is subject to the right of distress to satisfy the claim of a person who has the right of distress;*
- (e) *subject to any provision of this Act respecting garnishment, governing*
  - (i) *the issuing and service of garnishee summons;*
  - (ii) *the time at which a garnishee summons attaches a current obligation or future obligation;*
  - (iii) *the amount payable under a garnishee summons;*
  - (iv) *the payment of money into Court by a garnishee;*
  - (v) *the information to be provided by a garnishee;*
  - (vi) *the amount payable to a garnishee as compensation for carrying out the garnishee's duties;*
  - (vii) *the liability incurred for not complying with a garnishee summons and the provisions of this Act governing garnishment;*
  - (viii) *the handling of funds received under garnishment;*
  - (ix) *the provision of information by the clerk;*
  - (x) *the making of objections with respect to garnishment;*
  - (xi) *the garnishment, when a garnished obligation arises or becomes payable on the satisfaction of a condition;*
  - (xii) *the setting aside of a garnishee summons;*
  - (xiii) *the renewal of garnishee summonses;*
  - (xiv) *the disclosure by the garnishee of the address of the enforcement debtor;*

### **Court of Appeal Act**

**Amends RSA 2000 cC-30**

**3(1) The *Court of Appeal Act* is amended by this section.**

**(2) The heading preceding section 16 and section 16 are repealed.**

- (f) *for the purposes of Division 2 of Part 6, prescribing*
    - (i) *the circumstances in which service of a notice of seizure on a transfer agent of an issuer constitutes service on the issuer, and*
    - (ii) *the duties of the transfer agent when served with a notice of seizure;*
  - (g) *prescribing, with respect to an issuer or intermediary under Division 2 of Part 6 or to a garnishee,*
    - (i) *a grace period following service of a garnishee summons on a garnishee or a notice of seizure on an issuer or intermediary during which the garnishee, issuer or intermediary is not subject to the duties that would otherwise arise by virtue of that service, and*
    - (ii) *the conditions, if any, that must be met for a garnishee, issuer or intermediary to receive the benefit of the grace period;*
  - (h) *governing the enforcement of a writ of possession and the disposition of any personal property removed from the location or premises.*
- (2) *The Rules of Court Committee established under the Court of Queen's Bench Act may make recommendations to the Minister of Justice and Attorney General with respect to rules made under this section.*

### **Court of Appeal Act**

- 3(1)** Amends chapter C-30 of the Revised Statutes of Alberta 2000.
- (2) The heading preceding section 16 and section 16 presently read:

#### *Rules of Court*

*16(1) The Lieutenant Governor in Council may make rules governing*

- (a) *the practice and procedure in the Court,*

### **Court of Queen's Bench Act**

**Amends RSA 2000 cC-31**

**4(1) The *Court of Queen's Bench Act* is amended by this section.**

**(2) Section 9(3)(b) is amended by striking out “summarily”.**

**(3) Section 14(3) is repealed and the following is substituted:**

**(3) The Minister of Justice and Attorney General may make a payment for damages or costs, including lawyer's charges, incurred by the master in respect of an act, omission or matter described in subsection (1).**

- (b) the duties of officers of the Court,*
- (c) costs in matters before the Court,*
- (d) the fees to be collected by officers of the Court, and*
- (e) the rates of fees and expenses payable to witnesses and interpreters.*

*(2) The rules made by the Lieutenant Governor in Council under subsection (1) in relation to the practice and procedure in the Court may, subject to subsection (3), alter or conform to the substantive law.*

*(3) Subsection (2) does not authorize the making of rules that conflict with an Act of the Legislature or of the Parliament of Canada, or regulations made under those Acts, but the rules may supplement the provisions of an Act or regulation in respect of practice and procedure.*

#### **Court of Queen's Bench Act**

**4(1)** Amends chapter C-31 of the Revised Statutes of Alberta 2000.

(2) Section 9(3)(b) presently reads:

*(3) Notwithstanding subsection (1), the power of and the jurisdiction exercisable by a master in chambers does not include*

- (b) the determination of disputed or contentious questions of fact unless the parties agree to the disposition of the questions summarily in chambers on affidavit evidence and without the trial of an issue or the hearing of oral evidence,*

(3) Section 14(3) as enacted by section 2(2) of the Court Statutes Amendment Act, 2008, presently reads:

*(3) The Minister of Justice and Attorney General may make a payment for damages or costs, including solicitor-client costs incurred by the master in respect of an act, omission or matter described in subsection (1).*

**(4) Section 18(1) is amended by striking out “examine” and substituting “question”.**

**(5) Section 20 is repealed.**

**(6) Section 25 is repealed.**



(4) Section 18(1) presently reads:

*18(1) An officer of the Court, for the purpose of matters directed by the Court to be taken before the officer, has power to administer oaths, take affidavits and statutory declarations, receive affirmations and examine parties and witnesses, as the Court may direct.*

(5) Section 20 presently reads:

*20(1) The Lieutenant Governor in Council may by regulation make rules governing*

*(a) the practice and procedure in the Court,*

*(a.1) governing surrogate matters;*

*(b) the duties of officers of the Court,*

*(c) costs in matters before the Court,*

*(d) the fees to be collected by officers of the Court, and*

*(e) the rates of fees and expenses payable to witnesses and interpreters.*

*(1.1) The rules made by the Lieutenant Governor in Council under subsection (1) in relation to the practice and procedure in the Court may, subject to subsection (1.2), alter or conform to the substantive law.*

*(1.2) Subsection (1.1) does not authorize the making of rules that conflict with an Act of the Legislature or of the Parliament of Canada, or regulations made under those Acts, but the rules may supplement the provisions of an Act or regulation in respect of practice and procedure.*

*(2) The Lieutenant Governor in Council may make regulations respecting judicial review in civil matters.*

(6) Section 25 presently reads:

*25(1) There shall be a Rules of Court Committee consisting of the following members:*



- (a) *the Chief Justice of Alberta or a judge of the Court of Appeal designated by the Chief Justice of Alberta;*
  - (b) *the Chief Justice or a judge of the Court of Queen's Bench of Alberta designated by the Chief Justice;*
  - (c) *the chief judge of The Provincial Court of Alberta or a judge of the Provincial Court designated by the chief judge;*
  - (d) *2 persons who are members of the Law Society of Alberta appointed by the Minister from among those recommended by the Benchers of the Law Society of Alberta;*
  - (e) *one person appointed by the Minister.*
- (2) *The Committee shall elect one of its members as chair.*
- (3) *The Committee shall meet as occasion requires to consider the rules of court made under this Act, the Court of Appeal Act and any other Act and may make recommendations respecting those rules of court to the Minister.*
- (4) *The members of the Committee shall serve without remuneration, but the Minister may pay the reasonable travel and living expenses incurred by the members in the performance of their duties under this section.*
- (5) *The Minister shall provide to the Committee those secretarial and other services that the Minister considers appropriate.*

**(7) If this section comes into force before the coming into force of section 2(2) of the *Court Statutes Amendment Act, 2008*, subsection (3) is repealed.**

### **Court Statutes Amendment Act, 2008**

**Amends SA 2008 c32**

**5(1) The *Court Statutes Amendment Act, 2008* is amended by this section.**

**(2) Section 2(2) is amended by repealing the new section 14(3) and substituting the following:**

**(3) The Minister of Justice and Attorney General may make a payment for damages or costs, including lawyer's charges, incurred by the master in respect of an act, omission or matter described in subsection (1).**

**(3) Section 2(3) is repealed.**

**(4) If section 2 of the *Court Statutes Amendment Act, 2008* comes into force before the coming into force of this section, this section is repealed.**

### **Transitional Provisions**

#### **Regulations**

**6(1) The Lieutenant Governor in Council may make regulations in respect of matters coming under this Act that the Minister of Justice and Attorney General considers are not provided for or are insufficiently provided for in this Act.**

**(2) A regulation made under subsection (1) is repealed on the earliest of the following:**

**(a) the coming into force of an amendment to a statute that provides for the matter dealt with in the regulation;**

(7) Repeal of inoperative amendment.

**Court Statutes  
Amendment Act, 2008**

**5(1)** Amends chapter 32 of the Statutes of Alberta, 2008.

(2) Section 14(3) of the Court of Queen’s Bench Act as enacted by section 2(2) presently reads:

*(3) The Minister of Justice and Attorney General may make a payment for damages or costs, including solicitor-client costs incurred by the master in respect of an act, omission or matter described in subsection (1).*

(3) Section 2(3) presently reads:

*(3) Section 25(1)(c) is amended by striking out “chief judge” wherever it occurs and substituting “Chief Judge”.*

(4) Repeal of inoperative amendments.

- (b) the coming into force of a regulation that repeals the regulation made under subsection (1);
- (c) the expiration of 2 years from the day that the regulation made under subsection (1) comes into force.

**(3)** The repeal of a regulation under subsection (2)(b) or (c) does not affect anything done, incurred or acquired under the authority of that regulation before the repeal of that regulation.

**(4)** A regulation shall not be made under subsection (1) after the expiration of 3 years from the day that this section comes into force, but any regulation made under subsection (1) that is in force on the expiration of that 3-year period remains in force until it is repealed under subsection (2).

**(5)** A regulation shall not be made under subsection (1) altering the provisions of subsection (2) or extending the 3-year period provided for in subsection (4).

#### **Consequential amendments to regulations**

**7(1)** In this section, “former rules of court” means the *Alberta Rules of Court* (AR 390/68).

**(2)** The Lieutenant Governor in Council may make regulations for the purpose of

- (a) amending terminology and references to procedural requirements in regulations that have become inapplicable or inappropriate as a result of the repeal of the former rules of court, or
- (b) adding terminology and references to the procedural requirements of the *Alberta Rules of Court* in regulations as necessary.

**(3)** An amendment under subsection (2) may be made notwithstanding that the regulation being amended was made by a member of the Executive Council or some other person or body.



## Related Amendments

### Amends RSA 2000 cA-2

**8(1) The *Administration of Estates Act* is amended by this section.**

**(2) Section 10(3) is amended**

(a) **by striking out** “by notice of motion”;

(b) **by striking out** “in a summary way”.

**(3) Section 16 is amended by striking out** “of motion” **and substituting** “of an application”.

**(4) Section 30(1) is amended by striking out** “by notice of motion”.

**(5) Section 33(2) is amended by striking out** “by notice of motion and if the judge hearing the motion” **and substituting** “by application, and if the judge hearing the application”.

**(6) Section 40(6)(a) is amended by striking out** “summary”.

**(7) Section 60(1) is amended by striking out** “by notice of motion”.

**(8) Section 62 is repealed and the following is substituted:**

#### **Costs**

**62** An account for the lawyer’s charges in respect of

(a) business transacted in the court, whether contentious or not, or any matter connected with it, or

(b) business transacted or work done with respect to the estate, whether contentious or not,

is subject to review and assessment under the *Alberta Rules of Court*.

### Amends RSA 2000 cA-4

**9(1) The *Adult Adoption Act* is amended by this section.**

**(2) Section 3 is amended**



### **Related Amendments**

Changes in terminology for consistency with the new Rules of Court.



- (a) in subsection (1) by striking out “petition” and substituting “apply to”;**
- (b) in subsection (2)**
  - (i) by striking out “A petition” and substituting “An application”;**
  - (ii) in clause (a)**
    - (A) by striking out “the petitioner” wherever it occurs and substituting “the applicant”;**
    - (B) by striking out “the petitioner’s” and substituting “the applicant’s”;**
    - (C) by striking out “petitioning” and substituting “applying”.**
- (3) Section 5 is amended by striking out “petitioner” and substituting “applicant”.**
- (4) Section 6 is amended by striking out “A petition” and substituting “An application”.**
- (5) Section 7 is amended by striking out “a petition” and substituting “an application”.**
- (6) Section 8 is amended by striking out “A petition” and substituting “An application”.**
- (7) Section 9 is amended**
  - (a) in subsections (1) and (3) by striking out “the petitioner” wherever it occurs and substituting “the applicant”;**
  - (b) in subsection (3) by striking out “the petitioner’s” and substituting “the applicant’s”.**
- (8) Section 13 is amended**
  - (a) in clause (a) by striking out “petitions,”;**
  - (b) in clause (b) by striking out “a petition or application” and substituting “an application”.**

**Amends RSA 2000 cA-7**

**10(1) The *Agricultural Operation Practices Act* is amended by this section.**

**(2) Section 2(4)(b) is repealed and the following is substituted:**

(b) award costs in the action.

**Amends RSA 2000 cA-8**

**11(1) The *Agricultural Pests Act* is amended by this section.**

**(2) Section 20(5) is amended by striking out “by originating notice”.**

**Amends RSA 2000 cA-10**

**12(1) The *Agricultural Service Board Act* is amended by this section.**

**(2) Section 14(1) is amended by striking out “originating notice” and substituting “application”.**

**(3) Section 14(4) is amended by striking out “, by way of an originating notice,”.**

**(4) Section 18 is amended by striking out “by way of originating notice”.**

**Amends SA 2005 cA-13.5**

**13(1) The *Agrology Profession Act* is amended by this section.**

**(2) Section 42 is amended by striking out “by way of originating notice”.**

**(3) Section 57 is amended**

**(a) in subsection (2) by striking out “by filing an originating notice with the Court and giving a copy to the registrar”.**

**(b) by adding the following after subsection (2):**

**(3) A copy of the application must be given to the registrar.**

**(4) Section 68(6) is amended by striking out** “the issuing of a commission for the obtaining of evidence from the witness, but the commission may be issued only, and the evidence must be taken, in the same manner as under the *Alberta Rules of Court*” **and substituting** “the obtaining of evidence from the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(5) Section 102 is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cA-15**

**14(1) The *Alberta Corporate Tax Act* is amended by this section.**

**(2) Section 50(2) is amended by striking out** “of a judicial district in which the corporation appealing has a permanent establishment” **and substituting** “at the judicial centre closest to any place where the corporation appealing has a permanent establishment”.

**(3) Section 60.2(11) is amended by striking out** “summarily”.

**(4) Section 65(7) is amended by striking out** “summary”.

**(5) Section 65.1(1) is amended by striking out** “summary”.

**Amends RSA 2000 cA-18**

**15(1) The *Alberta Evidence Act* is amended by this section.**

**(2) Section 1(c) is repealed and the following is substituted:**

- (c) “witness” includes a person
  - (i) who in the course of an action is questioned orally under Part 5 of the *Alberta Rules of Court* or is cross-examined on an affidavit made by the person,
  - (ii) who makes answer by affidavit on any interrogatories, or
  - (iii) who makes an affidavit of records under Part 5 of the *Alberta Rules of Court*;

**(3) Section 21(b) is amended by striking out** “witness fees and conduct money” **and substituting** “fees, expenses and allowances”.

**(4) Section 50 is repealed and the following is substituted:**

**Copy of deposition as evidence**

**50** When a party or witness is questioned or a deposition of a party or witness has been taken before a judge or other officer or person appointed to take it, copies of the questioning or deposition certified under the hand of the judge, officer or other person taking it shall, without proof of the signature, be received and read in evidence, saving all just exceptions.

**(5) Section 56 is amended**

- (a) in subsections (1), (2)(b) and (5)(b) by striking out** “examination” **and substituting** “questioning”;
- (b) in subsections (2)(a), (5) and (6) by striking out** “examined” **and substituting** “questioned”;
- (c) in subsection (4) by striking out** “conduct money” **and substituting** “allowances”;
- (d) in subsection (6) by striking out** “examine” **and substituting** “question”.

**Amends RSA 2000 cA-20**

**16(1) The *Alberta Health Care Insurance Act* is amended by this section.**

**(2) Section 18(8) is amended by striking out** “originating notice if the motion” **and substituting** “application if the application”.

**(3) Section 19(3) is amended by striking out** “by originating notice,”.

**Amends RSA 2000 cA-30**

**17(1) The *Alberta Personal Income Tax Act* is amended by this section.**

**(2) Section 57(5) is amended by striking out** “clerk of the Court of the judicial district in which the individual resides” **and**

**substituting** “clerk of the Court at the judicial centre closest to where the individual resides”.

**Amends SA 2007 cA-37.2**

**18(1) The *Alberta Utilities Commission Act* is amended by this section.**

**(2) Section 47(2) is amended by striking out** “by originating notice”.

**(3) Section 61(5) is amended by striking out** “on a solicitor and client basis” **and substituting** “as between solicitor and client”.

**Amends RSA 2000 cA-39**

**19(1) The *Ambulance Services Act* is amended by this section.**

**(2) Section 13(2) is amended by striking out** “by way of originating notice”.

**(3) Section 23 is amended**

**(a) in subsection (3) by striking out** “the issuing of a commission for obtaining the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “the obtaining of evidence from the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”;

**(b) in subsection (6) by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**(4) Section 29(1) is amended by striking out** “by originating notice”.

**Amends RSA 2000 cA-41**

**20(1) The *Animal Protection Act* is amended by this section.**

**(2) Section 13(1) is amended by striking out** “by originating notice”.

**Amends RSA 2000 cA-42**

**21(1) The *Apprenticeship and Industry Training Act* is amended by this section.**

**(2) Section 48(2) is amended by striking out “originating notice” and substituting “application”.**

**(3) Section 51 is amended**

**(a) by repealing subsection (3);**

**(b) in subsection (4) by striking out “originating notice” and substituting “application”.**

**(4) Section 53 is amended**

**(a) by repealing subsection (2);**

**(b) in subsection (3) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cA-43**

**22(1) The *Arbitration Act* is amended by this section.**

**(2) Section 7(1), (2)(d) and (3) are amended by striking out “motion” and substituting “application”.**

**(3) Section 52(6) is amended by striking out “substituted service” and substituting “substitutional service”.**

**(4) Section 55 is repealed and the following is substituted:**

**Assessment and review of costs**

**55(1)** The fees and expenses paid to an arbitrator shall not exceed the fair and reasonable value of the services performed and the necessary and reasonable expenses actually incurred.

**(2)** A party to an arbitration may have an arbitrator’s account for fees and expenses reviewed by a review officer under the *Alberta Rules of Court* in the same manner that a lawyer’s account for lawyer’s charges may be reviewed.

**(3)** If the arbitral tribunal awards costs and directs that they be assessed, or awards costs without fixing the amount or indicating how it is to be ascertained, a party to the arbitration



may have the costs assessed by an assessment officer under the *Alberta Rules of Court* in the same manner as costs awarded may be assessed under the Rules in similar circumstances.

(4) In assessing the part of the costs represented by the fees and expenses of the arbitral tribunal, the assessment officer shall apply the same principles as in the review of an account under subsection (2).

(5) Subsection (2) applies even if the account has been paid.

(6) On the application of a party to the arbitration, the court may review the assessment of costs or the review of the arbitrator's account and may confirm it, vary it, set it aside or remit it to the assessment officer or review officer with directions.

(7) On the application of an arbitrator the court may review the review of the arbitrator's account and may confirm it, vary it, set it aside or remit it to the review officer with directions.

(8) An application for review under subsection (6) or (7) may not be made after the period specified in the assessment officer's or review officer's certificate has elapsed or, if no period is specified, more than 30 days after the date of the certificate, unless the court orders otherwise.

(9) When the time during which an application for review may be made has expired and no application has been made, or when the court has reviewed the assessment or review and made a final determination, the assessment officer's or review officer's certificate may be filed with the court and enforced as if it were a judgment of the court.

**Amends RSA 2000 cA-44**

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

**(2) Section 4 is amended by striking out** “by way of originating notice”.

**(3) Section 44(3) is amended by striking out** “the issuing of a commission for the obtaining of the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “the obtaining of

evidence from the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(4) Section 45(3) is amended by striking out “fees” and substituting “fees, expenses and allowances”.**

**(5) Section 54(2) and (3) are amended by striking out “originating notice” and substituting “application”.**

**Amends SA 2006 cA-45.1**

**24(1) The *Assured Income for the Severely Handicapped Act* is amended by this section.**

**(2) Section 9(2)(c) is amended by striking out “judicial district” and substituting “judicial centre”.**

**Amends RSA 2000 cB-2**

**25(1) The *Bee Act* is amended by this section.**

**(2) Section 4 is amended**

**(a) in subsection (2) by striking out “by way of originating notice”;**

**(b) in subsection (3)**

**(i) by striking out “originating notice” and substituting “application to the court”;**

**(ii) by striking out “the notice” and substituting “the application”.**

**Amends RSA 2000 cB-7**

**26(1) The *Builders’ Lien Act* is amended by this section.**

**(2) Section 27(3)(b) is amended by striking out “by originating notice” and substituting “in any other case”.**

**(3) Section 33(5) is amended by striking out “summary”.**

**(4) Section 38 is amended**

- (a) in subsection (1) by striking out “by an originating notice”;
  - (b) in subsections (3) and (4) by striking out “originating notice” and substituting “application”.
- (5) Section 46(2) is amended by striking out “on notice”.**
- (6) Section 48 is amended**
- (a) in subsection (1) by striking out “by originating notice”;
  - (b) in subsection (3) by striking out “originating notice” and substituting “application”;
  - (c) in subsection (5)(b) by striking out “on notice”;
  - (d) in subsection (6) by striking out “examine” and substituting “question”.
- (7) Section 52 is amended**
- (a) in subsection (1) by striking out “demand of notice” and substituting “demand for notice”;
  - (b) in subsection (5)(b) by striking out “on notice”;
  - (c) in subsection (6) by striking out “examine” and substituting “question”.
- (8) Section 53(3) is amended**
- (a) in clause (c)
    - (i) by striking out “examination” and substituting “questioning”;
    - (ii) in subclause (i) by striking out “summarily”;
  - (b) by repealing clause (f) and substituting the following:
    - (f) the court may order that questioning under Part 5 of the *Alberta Rules of Court* be conducted in the action, but no questioning may be conducted without an order of the court.

**Amends RSA 2000 cB-8**

**27(1) The *Burial of the Dead Act* is amended by this section.**

**(2) Section 6(4) is amended by striking out** “in the judicial district in which the difference arose” **and substituting** “at the judicial centre closest to the place where the difference arose.”.

**Amends RSA 2000 cB-9**

**28(1) The *Business Corporations Act* is amended by this section.**

**(2) Section 191 is amended**

- (a) in subsection (6) by striking out** “by originating notice”;
- (b) in subsection (8)(b) by striking out** “originating notice” **and substituting** “application”;
- (c) in subsection (12)(b) by striking out** “examinations for discovery” **and substituting** “questioning under Part 5 of the *Alberta Rules of Court*”.

**(3) Section 223 is amended**

- (a) in subsection (3) by striking out** “examined” **and substituting** “questioned”;
- (b) in subsection (4) by striking out** “examination” **and substituting** “questioning”.

**(4) Section 249 is repealed and the following is substituted:**

**Application to Court**

**249** When this Act states that a person may apply to the Court, the application must be made in accordance with the *Alberta Rules of Court*.

**Amends RSA 2000 cC-3**

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

**(2) Section 52(10) is amended by striking out** “originating notice” **and substituting** “application”.

**(3) Section 57 is amended**

- (a) by repealing subsection (2);
- (b) in subsection (3) by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cC-7**

**30(1) The *Change of Name Act* is amended by this section.**

**(2) Section 29 is amended by striking out “by petition”.**

**(3) If section 88(1) of the *Vital Statistics Act*, SA 2007 cV-4.1, comes into force before the coming into force of this section, this section is repealed.**

**Amends RSA 2000 cC-9**

**31(1) The *Charitable Fund-raising Act* is amended by this section.**

**(2) Sections 41(1), 43(1) and 44(1)(a) are amended by striking out “by originating notice”.**

**(3) Section 45 is amended**

**(a) in subsection (1) by striking out “by originating notice”;**

**(b) by repealing subsection (2) and substituting the following:**

**(2) A copy of the application and supporting material must be given to the party or parties named in the application at least 48 hours prior to the time set for the hearing unless the Court is of the opinion that the urgency of the situation is such that giving notice would not be in the public interest.**

**(4) Section 52(2) is amended by striking out “originating notice” and substituting “application”.**

**(5) Section 53(1) is amended by striking out “by originating notice”.**

**Amends SA 2007 cC-10.5**

**32(1) The *Child Care Licensing Act* is amended by this section.**

**(2) Section 10(4) is amended by striking out** “by originating notice”.

**(3) Section 22(2) is amended by striking out** “by originating notice”.

**Amends RSA 2000 cC-12**

**33(1) The *Child, Youth and Family Enhancement Act* is amended by this section.**

**(2) Section 30(1) is amended by striking out** “by originating notice”.

**(3) Section 59(1)(a) and (2) are amended by striking out** “petitioning” **and substituting** “applying to”.

**(4) The following sections are amended by striking out** “petitioner” **wherever it occurs and substituting** “applicant”:

section 59(2);  
section 63(1), (2) and (3);  
section 64(1)(c) and (d);  
section 66(2);  
section 69(a) and (b);  
section 70(1) and (3);  
section 71(1).

**(5) Section 62 is amended**

**(a) in subsection (1) by striking out** “petition” **and substituting** “apply to”;

**(b) in subsection (3) by striking out** “No petition” **and substituting** “No application”.

**(6) Section 63 is amended**

**(a) by striking out** “A petition” **wherever it occurs and substituting** “An application”;

**(b) in subsection (3) by striking out** “custody of a petitioner” **and substituting** “custody of an applicant”.

**(7) The following sections are amended by striking out** “the petition” **wherever it occurs and substituting** “the application”:

section 60(2)(b);  
section 64(1)(a) and (f), (5), (6) and (7)(a) and (b);  
section 70(3);  
section 71(1);  
section 74(3).

**(8) Section 64(1) is amended by striking out “A petitioner” and substituting “An applicant”.**

**(9) Section 68 is amended**

- (a) in subsection (2) by striking out “petitioner” wherever it occurs and substituting “applicant”;**
- (b) in subsection (3)**
  - (i) by striking out “the petition” and substituting “the application”;**
  - (ii) by striking out “a petition” and substituting “an application”;**
- (c) in subsection (4) by striking out “a petition” and substituting “an application”.**

**(10) Section 69 is amended by striking out “a petitioner who has petitioned” and substituting “a person who has applied to”.**

**(11) Section 71 is amended**

- (a) in subsection (1)**
  - (i) by striking out “a petition” and substituting “an application”;**
  - (ii) by striking out “further petition” and substituting “further application”;**
- (b) in subsection (2)**
  - (i) by striking out “a petition” and substituting “an application”;**
  - (ii) by striking out “previous petition” and substituting “previous application”.**

**(12) Section 74.1(2) is amended by striking out “petitions” and substituting “applications”.**

**(13) Section 85(2)(c) is amended by striking out “by a petitioner in respect of the approval of the petitioner’s petition” and substituting “by an applicant in respect of the application”.**

**(14) Section 91(3) is amended by striking out “by notice of motion”.**

**(15) Section 101 is amended by striking out “by originating notice”.**

**(16) Section 105.5(4) is amended by striking out “by way of originating notice”.**

**(17) Section 133(3)(a) and (b) are repealed.**

**Amends SA 2008 c31**

**34(1) The *Child, Youth and Family Enhancement Amendment Act, 2008* is amended by this section.**

**(2) Section 28 is amended**

**(a) in clause (a)(ii) in the new clause (f) by striking out “petitioner” and substituting “applicant”;**

**(b) in clause (b)(iii) in the new clause (f) by striking out “petitioner” and substituting “applicant”;**

**(c) in clause (c)(ii) in the new clause (e)**

**(i) by striking out “a petitioner” and substituting “an applicant”;**

**(ii) by striking out “the petitioner” and substituting “the applicant”.**

**(3) Section 65(2) is amended**

**(a) by striking out “a petition” and substituting “an application”;**

**(b) by striking out “the petition” and substituting “the application”.**



**(4) If section 28 of the *Child, Youth and Family Enhancement Amendment Act, 2008* comes into force before the coming into force of subsection (2), subsection (2) is repealed.**

**Amends SA 2003 cC-16.5**

**35(1) The *Class Proceedings Act* is amended by this section.**

**(2) Section 1 is amended**

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

(h.1) “discovery” means disclosure of documents and information under Part 5 of the *Alberta Rules of Court*;

**(b) in clause (i) by adding “and an applicant” after “petitioner”.**

**(3) Section 18(6) is amended by striking out “examined” and substituting “questioned”.**

**(4) Section 19(1) is amended**

**(a) by striking out “examined” and substituting “questioned”;**

**(b) in clause (b)**

**(i) by striking out “examination” and substituting “questioning”;**

**(ii) by striking out “motion” and substituting “application”.**

**Amends RSA 2000 cC-17**

**36(1) The *Coal Conservation Act* is amended by this section.**

**(2) Section 50 is amended by striking out “by way of originating notice”.**

**Amends RSA 2000 cC-21**

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

**(2) Section 170(2) is amended by striking out “in a summary way”.**

**(3) Section 231 is amended by striking out “examination” and substituting “questioning”.**

**(4) Section 233 is amended**

- (a) in subsection (2) by striking out “examine” and substituting “question”;**
- (b) in subsection (4) by striking out “examination” and substituting “questioning”.**

**(5) Section 238 is amended**

- (a) in subsections (1), (3), (4), (5), (6) and (7) by striking out “examined” wherever it occurs and substituting “questioned”;**
- (b) in subsections (2), (5), (7) and (8) by striking out “examination” and substituting “questioning”;**
- (c) in subsection (5) by striking out “to examine” and substituting “to question”;**
- (d) in subsection (9)**
  - (i) by striking out “An examination” and substituting “Questioning”;**
  - (ii) by striking out “general rules” and substituting “the *Alberta Rules of Court*”;**
  - (iii) by striking out “the examination” wherever it occurs and substituting “the questioning”.**

**(6) Section 250(2) is amended by striking out “examined” and substituting “questioned”.**

**(7) Section 272(1) is amended by striking out “summary”.**

**(8) Section 297 is amended**

- (a) by striking out “examination” and substituting “questioning”;**
- (b) by striking out “examined” and substituting “questioned”.**

**Amends RSA 2000 cC-22**

**38(1) The *Condominium Property Act* is amended by this section.**

**(2) Section 53(1)(a) is amended by striking out “originating notice” and substituting “application”.**

**(3) Section 55 is amended**

**(a) in subsection (1) by striking out “by originating notice”;**

**(b) in subsection (2)**

**(i) by striking out “originating notice” and substituting “application”;**

**(ii) by striking out “named in the notice” and substituting “scheduled”.**

**(4) Section 56 is amended**

**(a) in subsection (1) by striking out “by originating notice”;**

**(b) in subsection (2)**

**(i) by striking out “originating notice” and substituting “application”;**

**(ii) by striking out “named in the notice” and substituting “scheduled”.**

**(5) Section 66(1) is repealed.**

**(6) Section 66(2) is amended by adding “to the Court under this Act” after “application”.**

**(7) Section 67(2) is amended by striking out “by means of an originating notice”.**

**(8) Section 72(1) is amended by striking out “originating notice” and substituting “application”.**

**Amends SA 2001 cC-28.1**

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

**(2) Section 283(1) is amended by striking out “by originating notice”.**

**(3) Section 294(2) is amended by striking out “examined” and substituting “questioned”.**

**(4) Section 295(2) is amended by striking out “examined” and substituting “questioned”.**

**(5) Section 322 is amended**

**(a) in subsection (3) by striking out “examined” and substituting “questioned”;**

**(b) in subsection (4) by striking out “examination” and substituting “questioning”.**

**(6) Section 354 is repealed and the following is substituted:**

**Application to Court**

**354** When this Act states that a person may apply to the Court, the application must be made in accordance with the *Alberta Rules of Court*.

**Amends RSA 2000 cC-32**

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

**(2) Section 200(2) is amended**

**(a) by striking out “examined” and substituting “questioned”;**

**(b) by striking out “examination” and substituting “questioning”.**

**(3) Section 214 is amended**

**(a) in subsections (1) and (2) by striking out “originating notice” wherever it occurs and substituting “application”;**

**(b) by repealing subsection (3) and substituting the following:**

**(3) An application under this section must be made in accordance with the *Alberta Rules of Court*.**

**Amends SA 2005 cC-32.5**

**41(1) The *Criminal Notoriety Act* is amended by this section.**

**(2) Sections 6(1), 7(1) and 9(2) are amended by striking out “by originating notice”.**

**Amends RSA 2000 cD-2**

**42(1) The *Dairy Industry Act* is amended by this section.**

**(2) Section 10 is amended by striking out “by originating notice”.**

**Amends RSA 2000 cD-6**

**43(1) The *Debtors’ Assistance Act* is amended by this section.**

**(2) Section 2.7(4) is amended by striking out “by originating notice”.**

**Amends RSA 2000 cD-7**

**44(1) The *Defamation Act* is amended by this section.**

**(2) Section 14 is repealed and the following is substituted:**

**Place of trial**

**14** The action must be tried

- (a) at the judicial centre that is closest to the place where the chief office of the newspaper or of the owner or operator of the broadcasting station is situated, or
- (b) at the judicial centre that is closest to the place where the plaintiff resides

at the time the action is brought, but on the application of either party the court may direct the action to be tried or the damages to be assessed at any other judicial centre if it appears desirable in the interests of justice, and may also impose any terms with regard to the payment of fees, expenses and allowances to witnesses and otherwise that the court considers proper.

**Amends RSA 2000 cD-10.5**

**45(1) The *Dependants Relief Act* is amended by this section.**

**(2) Section 13(1) is amended by striking out “notice of motion” and substituting “application”.**

**(3) Section 17(1) is amended by striking out “summary”.**

**Amends RSA 2000 cD-11**

**46(1) The *Dependent Adults Act* is amended by this section.**

**(2) Section 3(1) is repealed and the following is substituted:**

**Persons entitled to copy of application**

**3(1)** An application for an order appointing a guardian may be made in the form prescribed in the regulations and must be made at the judicial centre closest to the place where the person in respect of whom the application is made is ordinarily resident unless the Court considers it appropriate in the circumstances of the case for the application to be made at another judicial centre.

**(3) Section 27(2) is repealed and the following is substituted:**

**(2)** An application pursuant to subsection (1) must be made at the judicial centre at which the application for the order appointing the guardian was made.

**(4) Section 31(1) is repealed and the following is substituted:**

**Application for order appointing trustee**

**31(1)** An application for an order appointing a trustee may be made in the form prescribed in the regulations and must be made at the judicial centre closest to the place where the person in respect of whom the application is made is ordinarily resident unless the Court considers it appropriate in the circumstances of the case for the application to be made at another judicial centre.

**(5) Section 53(2) is repealed and the following is substituted:**

**(2)** An application pursuant to subsection (1) must be made at the judicial centre at which the application for the order appointing the trustee was made.

**(6) Section 87 is amended**

**(a) in subsection (1) by striking out** “by way of originating notice”;

**(b) by repealing subsection (2) and substituting the following:**

**(2)** The appeal application must be served on

- (a) any guardian and any trustee,
- (b) the Public Trustee and the Public Guardian if they are not served pursuant to clause (a),
- (c) if the person in respect of whom the order is made is a resident of an institution, the person in charge of the institution, and
- (d) any other person as a judge of the Court may direct

not less than 15 days before the application is returnable, and the practice and procedure of the Court under the *Alberta Rules of Court* pertaining to applications apply, except as otherwise provided by this section.

**(7) The following provisions are amended by striking out** “by notice of motion”:

section 44(2);  
section 52(6);  
section 56(2);  
section 64(1);  
section 76(2).

**(8) If the *Adult Guardianship and Trusteeship Act* comes into force before the coming into force of this section, this section is repealed.**

**Amends RSA 2000 cD-15**

**47(1) The *Dower Act* is amended by this section.**

**(2) Section 10(1) is amended by striking out** “by notice of motion”.

**(3) Section 13 is amended**

- (a) in subsection (1) by striking out “by way of originating notice”;
  - (b) in subsection (2) by striking out “originating notice” wherever it occurs and substituting “application”.
- (4) Section 19(4) is amended by striking out “by notice of motion”.
- (5) Section 22 is amended by striking out “by notice of motion”.
- (6) Section 23(2) is amended
- (a) by striking out “by way of notice of motion”;
  - (b) by striking out “, which is to summarily decide the question”.

**Amends RSA 2000 cD-16**

**48(1) The *Drainage Districts Act* is amended by this section.**

(2) Section 66(bb) is amended by striking out “conduct money or witness fees” and substituting “fees, expenses or allowances to witnesses”.

(3) Section 77(1) is amended by striking out “by originating notice”.

**Amends RSA 2000 cE-1**

**49(1) The *Election Act* is amended by this section.**

(2) Section 142(2) is amended by striking out “originating notice” and substituting “application”.

(3) Section 143(1) is amended by striking out “by originating notice”.

(4) Section 144 is amended

- (a) in subsection (1)(a) by striking out “by way of originating notice”;



- (b) in subsection (4) by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cE-2**

**50(1) The *Election Finances and Contributions Disclosure Act* is amended by this section.**

**(2) Section 44(4) is repealed and the following is substituted:**

- (4) An application to the Court under this section must name the Chief Electoral Officer as respondent.

**Amends SA 2003 cE-5.1**

**51(1) The *Electric Utilities Act* is amended by this section.**

**(2) Sections 90(5) and 92(5) are amended by striking out “on a solicitor and client basis” and substituting “as between solicitor and client”.**

**Amends RSA 2000 cE-6**

**52(1) The *Emblems of Alberta Act* is amended by this section.**

**(2) Section 14 is amended by striking out “by originating notice”.**

**Amends SA 2008 cE-6.6**

**53(1) The *Emergency Health Services Act* is amended by this section.**

**(2) Section 19 is amended by striking out “by way of originating notice”.**

**Amends RSA 2000 cE-8**

**54(1) The *Employment Pension Plans Act* is amended by this section.**

**(2) Section 18(3) is amended by striking out “by notice of motion supported by an affidavit”.**

**(3) Section 26 is repealed and the following is substituted:**

**Appeal to the Court**

**26(1)** Where the Superintendent has served a notification under section 25(1), the administrator may, by application, appeal to the Court for an order requiring the Superintendent to register the plan or amendment or reinstate the registration.

**(2)** A copy of the application must be filed with the court clerk and served on the Superintendent within 60 days after service of the notification under section 25(1) or any longer period that the Court allows, and the application shall be made returnable within 90 days after the filing of the application.

**(4) Section 67(2) is repealed and the following is substituted:**

**(2)** An application under subsection (1) must be made on 7 days' notice or on any shorter period that the Court allows.

**(5) Section 90(4) is amended by striking out** "by notice of motion supported by an affidavit".

**(6) Section 91 is amended by striking out** "by originating notice".

**Amends RSA 2000 cE-9**

**55(1) The *Employment Standards Code* is amended by this section.**

**(2) Section 110 is amended by striking out** "in the judicial district in which the order or award was made" **and substituting** "at the judicial centre closest to the place where the order or award was made".

**Amends RSA 2000 cE-11**

**56(1) The *Engineering, Geological and Geophysical Professions Act* is amended by this section.**

**(2) Section 9 is amended by striking out** "by way of originating notice".

**(3) Section 55(2) is repealed and the following is substituted:**

**(2)** A person whose registration is suspended under subsection (1) may apply to the Court for an order staying the suspension.

(3) A copy of an application under subsection (2) must be served on the Registrar.

**(4) Section 59(3) is amended by striking out** “issuing of a commission for the obtaining of the evidence of the witness, and the commission is to be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(5) Section 60(3) is amended by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**(6) Section 66 is amended**

**(a) by repealing subsection (2) and substituting the following:**

(2) An investigated person may apply to the Court for an order staying the decision of the Discipline Committee pending the determination of the appeal.

(2.1) A copy of an application under subsection (2) must be served on the Registrar.

**(b) in subsection (3) by striking out** “originating notice” **and substituting** “application”.

**Amends SA 2007 c13**

**57(1) The *Engineering, Geological and Geophysical Professions Amendment Act, 2007* is amended by this section.**

**(2) Section 14 is amended in the new section 96 by striking out** “by way of originating notice”.

**Amends RSA 2000 cE-12**

**58(1) The *Environmental Protection and Enhancement Act* is amended by this section.**

**(2) Section 222(2) is repealed and the following is substituted:**

(2) A copy of the application and supporting material must be given to the party or parties named in the application at least 48

hours prior to the time set for the hearing unless the Court is of the opinion that the urgency of the situation is such that giving notice would not be in the public interest.

**Amends RSA 2000 cE-13**

**59(1) The *Expropriation Act* is amended by this section.**

**(2) Sections 40(2), 64(3) and 65 are amended by striking out “by originating notice”.**

**Amends RSA 2000 cE-14**

**60(1) The *Extra-provincial Enforcement of Custody Orders Act* is amended by this section.**

**(2) Section 2(1) is amended by striking out “by originating notice”.**

**Amends RSA 2000 cF-2**

**61(1) The *Fair Trading Act* is amended by this section.**

**(2) Section 13(4) is amended by striking out “party and party costs and solicitor and client costs or either of them” and substituting “costs in accordance with the *Alberta Rules of Court*”.**

**(3) Sections 146(1) and 148(1) are amended by striking out “by originating notice”.**

**(4) Section 151(4) is amended by striking out “by way of originating notice”.**

**(5) Section 154(1) is amended by striking out “, by originating notice”.**

**(6) Sections 156(1) and 158(1) are amended by striking out “by originating notice”.**

**(7) Section 181 is amended by striking out “originating notice” and substituting “application”.**

**Amends SA 2003 cF-4.5**

**62(1) The *Family Law Act* is amended by this section.**

**(2) Section 78 is amended by striking out “conduct money” and substituting “any fees, expenses and allowances payable to witnesses”.**

**Amends RSA 2000 cF-7**

**63(1) The *Farm Implement Act* is amended by this section.**

**(2) Section 23(6)(b) is amended by striking out “by way of originating notice”.**

**(3) Section 29 is amended**

**(a) in subsection (1) by striking out “by originating notice”;**

**(b) in subsection (2) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cF-22**

**64(1) The *Forests Act* is amended by this section.**

**(2) Section 33 is amended by striking out “taxable” and substituting “allowable”.**

**(3) Section 38 is amended**

**(a) in subsection (1) by striking out “by way of originating notice”;**

**(b) in subsection (3) by striking out “by originating notice”.**

**Amends SA 2006 cF-28.1**

**65(1) The *Fuel Tax Act* is amended by this section.**

**(2) Section 35(11) is amended by striking out “shall determine the question summarily and”.**

**(3) Section 53 is amended**

**(a) by repealing subsection (5);**

**(b) in subsection (6) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cF-29**

**66(1)** The *Funeral Services Act* is amended by this section.

**(2)** Section 16(10) is amended by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cG-1**

**67(1)** The *Gaming and Liquor Act* is amended by this section.

**(2)** Section 113(1) is amended by striking out “by originating notice”.

**Amends RSA 2000 cG-3**

**68(1)** The *Gas Distribution Act* is amended by this section.

**(2)** Section 9 is amended by striking out “by way of originating notice”.

**Amends RSA 2000 cG-4**

**69(1)** The *Gas Resources Preservation Act* is amended by this section.

**(2)** Section 20 is amended by striking out “by originating notice”.

**Amends RSA 2000 cH-1**

**70(1)** The *Health Care Protection Act* is amended by this section.

**(2)** Section 23(2) is amended by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cH-2**

**71(1)** The *Health Disciplines Act* is amended by this section.

**(2)** Section 32(2) is repealed and the following is substituted:

**(2)** An investigated person whose registration is suspended under subsection (1) may apply to the Court of Queen’s Bench for an order staying the action of the registrar.

(3) A copy of an application under subsection (2) must be served on the chair.

**(3) Section 37(3) is amended by striking out** “the issuing of a commission to obtain the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “the obtaining of the evidence from the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(4) Section 38(3) is amended by striking out** “fees” **and substituting** “allowances”.

**(5) Section 51(6) is repealed and the following is substituted:**

(6) An investigated person may apply to the Court of Queen’s Bench for an order staying the decision of the Board pending the outcome of the appeal to the Court of Appeal.

(7) A copy of an application under subsection (6) must be served on the Director.

**(6) Section 65 is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cH-3**

**72(1) The *Health Facilities Review Committee Act* is amended by this section.**

**(2) Section 15(1) is amended by striking out** “by originating notice”.

**Amends RSA 2000 cH-5**

**73(1) The *Health Information Act* is amended by this section.**

**(2) Section 56(1) is amended by striking out** “by notice of motion”.

**Amends RSA 2000 cH-6**

**74(1) The *Health Insurance Premiums Act* is amended by this section.**

**(2) Section 19(3) is amended by striking out** “of the judicial district in which the registrant or agent resides or has an office,” **and substituting** “at the judicial centre closest to the place where the registrant or agent resides or has an office”.

**Amends RSA 2000 cH-7**

**75(1) The *Health Professions Act* is amended by this section.**

**(2) Section 49 is amended by striking out** “by way of originating notice”.

**(3) Section 65(2) is repealed and the following is substituted:**

**(2)** An investigated person may apply to the Court of Queen’s Bench for an order staying a decision by a person or committee under subsection (1).

**(3)** A copy of an application under subsection (2) must be given to the registrar.

**(4) Section 76(6) is amended by striking out** “issuing of a commission for the obtaining of evidence of the witness, but the commission may only be issued and the evidence must be taken in the same manner as under the *Alberta Rules of Court*” **and substituting** “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(5) Section 90(2)(a) is amended by striking out** “with the clerk of the” **and substituting** “with the”.

**(6) Section 130 is amended by striking out** “by way of originating notice”.

**Amends SA 2004 cH-8.5**

**76(1) The *Highways Development and Protection Act* is amended by this section.**

**(2) Section 49 is amended by striking out** “by originating notice”.



**Amends RSA 2000 cH-9**

**77(1)** The *Historical Resources Act* is amended by this section.

**(2)** Sections 19(7), 20(14) and 26(9) are amended by striking out “by originating notice”.

**(3)** Section 49(3) is amended by striking out “by way of originating notice”.

**Amends RSA 2000 cH-11.3**

**78(1)** The *Horse Racing Alberta Act* is amended by this section.

**(2)** Section 21 is amended

**(a)** in subsection (1) by striking out “by an originating notice”;

**(b)** in subsection (3) by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cH-12**

**79(1)** The *Hospitals Act* is amended by this section.

**(2)** Section 21(3) is amended by striking out “originating notice” and substituting “application”.

**(3)** Section 79(1) is amended by striking out “by originating notice”.

**(4)** Section 81 is amended by striking out “Part 14 of the *Alberta Rules of Court*, and that Part applies to the Crown’s right of recovery” and substituting “the *Alberta Rules of Court*”.

**Amends RSA 2000 cH-14**

**80(1)** The *Human Rights, Citizenship and Multiculturalism Act* is amended by this section.

**(2)** Section 36 is amended by striking out “in the judicial district in which the proceeding was held” and substituting “at the judicial centre closest to the place where the proceeding was held”.

**(3) Section 37 is amended**

**(a) in subsection (1)**

- (i) by striking out** “originating notice” **and substituting** “application”;
- (ii) by striking out** “of the judicial district in which the proceeding was held” **and substituting** “at the judicial centre closest to the place where the proceeding was held”;

**(b) in subsections (2) and (3) by striking out** “originating notice” **and substituting** “application”.

**Amends SA 2003 cl-0.5**

**81(1) The *Income and Employment Supports Act* is amended by this section.**

**(2) Section 38(2)(b) and (5)(b) are amended by striking out** “judicial district” **and substituting** “judicial centre”.

**(3) Section 39(4) is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cl-3**

**82(1) The *Insurance Act* is amended by this section.**

**(2) Subject to subsection (3), section 603 is amended by striking out** “taxation” **and substituting** “assessment”.

**(3) If the repeal of section 603 by section 29 of the *Insurance Amendment Act, 2008* takes effect before the coming into force of subsection (2), subsection (2) is repealed.**

**(4) On the repeal of subsection (2) by subsection (3), section 689 is amended by striking out** “taxation” **and substituting** “assessment”.

**(5) Section 621(c) is amended by striking out** “taxed” **and substituting** “assessed”.

**(6) If the repeal of section 621(c) by section 29 of the *Insurance Amendment Act, 2008* takes effect before the coming into force of subsection (5), subsection (5) is repealed.**

**(7) On the repeal of subsection (5) by subsection (6), section 564(c) is amended by striking out “taxed” and substituting “assessed”.**

**(8) Section 635(15) is amended**

**(a) by repealing clause (d) and substituting the following:**

(d) have disclosure of records and questioning under Part 5 of the *Alberta Rules of Court* in respect of any party adverse in interest, and

**(b) in clause (e) by striking out “examine and cross-examine” and substituting “question and cross-examine”.**

**(9) If the repeal of section 635(15) by section 29 of the *Insurance Amendment Act, 2008* takes effect before the coming into force of subsection (8), subsection (8) is repealed.**

**(10) On the repeal of subsection (8) by subsection (9), section 579(15) is amended**

**(a) by repealing clause (d) and substituting the following:**

(d) have disclosure of records and questioning under Part 5 of the *Alberta Rules of Court* in respect of any party adverse in interest, and

**(b) in clause (e) by striking out “examine and cross-examine” and substituting “question and cross-examine”.**

**(11) Section 691(2) is amended by striking out “taxation” and substituting “assessment”.**

**(12) If the repeal of section 691(2) by section 29 of the *Insurance Amendment Act, 2008* takes effect before the coming into force of subsection (11), subsection (11) is repealed.**

**(13) On the repeal of subsection (11) by subsection (12), section 684(2) is amended by striking out “taxation” and substituting “assessment”.**

**(14) Subject to subsection (15), sections 689 and 738(2) are amended by striking out “taxation” and substituting “assessment”.**

**(15) If this section comes into force before the coming into force of the *Insurance Amendment Act, 2008*, subsection (14) is repealed.**

**(16) Section 753(1) is amended by striking out “judicial district in which” and substituting “judicial centre closest to the place where”.**

**(17) Section 815 is repealed and the following is substituted:**

**Court applications**

**815** An application to the Court made under this Act or the regulations must be made in accordance with the *Alberta Rules of Court*.

**Amends SA 2008 c19**

**83(1) The *Insurance Amendment Act, 2008* is amended by this section.**

**(2) Section 29 is amended**

**(a) in the new section 564(c) by striking out “taxed” and substituting “assessed”;**

**(b) in the new section 579(15)**

**(i) by repealing clause (d) and substituting the following:**

(d) have disclosure of records and questioning under Part 5 of the *Alberta Rules of Court* in respect of any party adverse in interest, and

**(ii) in clause (e) by striking out “examine and cross-examine” and substituting “question and cross-examine”;**

**(c) in the new section 684(2) by striking out “taxation” and substituting “assessment”;**

- (d) in the new section 689 by striking out “taxation” and substituting “assessment”;
- (e) in the new section 738(2) by striking out “taxation” and substituting “assessment”.

**(3) If section 29 of the *Insurance Amendment Act, 2008* comes into force before the coming into force of this section, this section is repealed.**

**Amends SA 2002 cl-3.5**

**84(1) The *Interjurisdictional Support Orders Act* is amended by this section.**

**(2) Section 35(1) is amended by striking out “motion” and substituting “application”.**

**Amends RSA 2000 cl-7**

**85(1) The *International Trade and Investment Agreements Implementation Act* is amended by this section.**

**(2) Section 9(3) is amended by striking out “Any proceedings referred to in subsection (2) must be heard and determined in a summary way, but in” and substituting “In”.**

**Amends RSA 2000 cl-11**

**86(1) The *Irrigation Districts Act* is amended by this section.**

**(2) Section 153(5) is amended by striking out “by originating notice”.**

**(3) Section 171(1)(s) is amended by striking out “conduct money or witness fees” and substituting “fees, expenses and allowances to witnesses”.**

**(4) Section 190(1) is amended by striking out “by originating notice”.**

**Amends RSA 2000 cJ-3**

**87(1) The *Jury Act* is amended by this section.**

**(2) Section 1(a) is amended by striking out** “judicial district in which” **and substituting** “judicial centre at which”.

**(3) Section 15(2) is repealed.**

**(4) Section 17(1.1) is amended by adding** “by judge alone” **after** “tried”.

**(5) Section 25(e) is amended by adding** “, expenses” **after** “fees”.

**Amends RSA 2000 cL-1**

**88(1) The *Labour Relations Code* is amended by this section.**

**(2) Section 19(2) is amended by striking out** “originating notice” **and substituting** “application”.

**(3) Section 92 is amended**

**(a) in subsections (2) and (3) by striking out** “notice of motion” **and substituting** “application”;

**(b) in subsection (4)**

**(i) by striking out** “notice of motion” **and substituting** “application”;

**(ii) by striking out** “the motion” **and substituting** “the application”.

**(4) Section 127(2) is amended by striking out** “originating notice” **and substituting** “application”.

**(5) Section 145(2) is amended by striking out** “originating notice” **and substituting** “application”.

**(6) Section 146(2) is amended by striking out** “summarily” **and substituting** “by the Court”.

**(7) Section 204(2) is amended by striking out** “originating notice” **and substituting** “application”.

**Amends RSA 2000 cL-2**

**89(1) The *Land Agents Licensing Act* is amended by this section.**

**(2) Section 9 is amended by striking out “originating notice” and substituting “application”.**

**(3) Section 10(1) is amended**

**(a) in subsection (1) by striking out “may by filing an originating notice with the Court apply” and substituting “may apply to the Court”;**

**(b) in subsection (2) by striking out “originating notice” and substituting “application”.**

**(4) Section 14(3) is amended by striking out “by originating notice”.**

**(5) Section 14(4) is amended**

**(a) by striking out “originating notice” and substituting “application”;**

**(b) by striking out “named in the notice for hearing the application” and substituting “named in the application for the hearing”.**

**Amends RSA 2000 cL-3**

**90(1) The *Land Surveyors Act* is amended by this section.**

**(2) Section 6 is amended by striking out “by way of originating notice”.**

**(3) Section 48(3) is amended by striking out “issuing of a commission for the obtaining of the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” and substituting “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.**

**(4) Section 49(3) is amended by striking out “fees” and substituting “fees, expenses and allowances”.**

**(5) Section 56(2) and (3) are amended by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cL-4**

**91(1) The *Land Titles Act* is amended by this section.**

**(2) Section 21 is amended**

**(a) in subsection (1) by striking out “by an originating notice”;**

**(b) in subsection (2) by striking out “originating notice” and substituting “application”.**

**(3) Section 85(4) is amended by striking out “by originating notice”.**

**(4) Section 105(3) is amended by striking out “, of any person interested, by originating notice” and substituting “of any person interested”.**

**(5) Section 123(2) is amended by striking out “originating notice, subject to the *Alberta Rules of Court*, or otherwise,” and substituting “application, subject to the *Alberta Rules of Court*,”.**

**(6) Section 138(1) is amended by striking out “originating notice, subject to the *Alberta Rules of Court*, or otherwise,” and substituting “application, subject to the *Alberta Rules of Court*,”.**

**(7) Section 140 is amended by striking out “by notice of motion”.**

**(8) Section 141(1) is amended by striking out “, by originating notice”.**

**(9) Section 146 is amended**

**(a) in subsection (1) by striking out “by originating notice”;**

**(b) in subsection (2) by striking out “the notice” wherever it occurs and substituting “the application”.**

**(10) Section 177 is amended by striking out “taxed” and substituting “assessed”.**



**(11) Section 184 is amended**

- (a) **in subsection (1) by striking out** “by petition”;
- (b) **in subsection (2) by striking out** “petition” **wherever it occurs and substituting** “application”.

**(12) Section 187(3) is amended by striking out** “examination” **and substituting** “questioning”.

**(13) Section 189 is amended**

- (a) **by striking out** “examine” **and substituting** “question”;
- (b) **by striking out** “examined” **and substituting** “questioned”.

**(14) Section 193 is amended**

**(a) in subsection (3)**

- (i) **by striking out** “proper conduct money” **and substituting** “the proper allowance”;
- (ii) **by striking out** “tariff of fees provided” **and substituting** “requirements of the *Alberta Rules of Court*”;
- (iii) **by striking out** “examination” **and substituting** “questioning”;
- (iv) **by striking out** “examined” **and substituting** “questioned”;

**(b) in subsection (4)**

- (i) **by striking out** “taxed by the clerk of the court in the district in which” **and substituting** “assessed by the assessment officer of the court at the judicial centre at which”;
- (ii) **by striking out** “as nearly as may be according to the tariff provided for civil causes in the court” **and substituting** “in accordance with the *Alberta Rules of Court* in the case of civil causes in the court”;

**(c) in subsection (5) by striking out “motion” and substituting “an application”;**

**(d) in subsection (6) by striking out “taxed” and substituting “assessed”.**

**(15) Section 210(1) is amended by striking out “petition” and substituting “application”.**

**Amends RSA 2000 cL-7**

**92(1) The *Law of Property Act* is amended by this section.**

**(2) Section 15(1) is amended by striking out “by originating notice”.**

**(3) Section 25(1) and (2) are amended by striking out “originating notice” and substituting “application”.**

**(4) Section 39(4) is repealed and the following is substituted:**

**(4)** The Court in any case where it is fair and equitable to do so may, on application, order that subsections (2) and (3) are no longer to apply wholly or partly to the agreement for sale that is the subject-matter of the application.

**(5) Section 74(2) is amended by striking out “deal with the matter in a summary manner and”.**

**Amends RSA 2000 cL-8**

**93(1) The *Legal Profession Act* is amended by this section.**

**(2) Section 17 is amended**

**(a) in subsection (1) by striking out “petition” and substituting “by filing an application in the Court of Queen’s Bench”;**

**(b) in subsection (2)**

**(i) by striking out “petition” and substituting “application”;**

**(ii) by striking out “in a summary way”.**

**(3) Section 69 is amended**

**(a) in subsection (4) by striking out** “issuing of a commission for the obtaining of the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”;

**(b) in subsection (6) by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**(4) Section 93(2) is amended by striking out** “on a summary order of the Court of Queen’s Bench” **and substituting** “on the order of the Court of Queen’s Bench made on an application”.

**(5) Section 94(1) is amended by striking out** “a summary application” **and substituting** “an application”.

**(6) Section 96(5) is amended by striking out** “summarily” **and substituting** “on an application”.

**(7) Section 111 is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cL-9**

**94(1) The *Legislative Assembly Act* is amended by this section.**

**(2) Section 28(2)(a) is repealed and the following is substituted:**

(a) be filed at a judicial centre located in the Member’s electoral division or, if there is none, in the judicial centre closest to the Member’s electoral division,

**Amends RSA 2000 cL-12**

**95(1) The *Limitations Act* is amended by this section.**

**(2) Section 5.1(5)(b) and (6)(c) are amended by striking out** “by originating notice of motion”.

**Amends SA 2006 cL-16.2**

**96(1) The *Livestock Identification and Commerce Act* is amended by this section.**

**(2) Sections 37(2), 51(1) and 52(1) are amended by striking out “by originating notice”.**

**Amends RSA 2000 cL-17**

**97(1) The *Livestock Industry Diversification Act* is amended by this section.**

**(2) Section 8(6) is amended by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cL-18**

**98(1) The *Livestock and Livestock Products Act* is amended by this section.**

**(2) Section 5(7) is amended by striking out “originating notice” and substituting “application”.**

**(3) Section 6 is amended**

**(a) in subsection (1) by striking out “by filing an originating notice with the Court of Queen’s Bench apply” and substituting “apply to the Court of Queen’s Bench”;**

**(b) in subsection (2) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cL-20**

**99(1) The *Loan and Trust Corporations Act* is amended by this section.**

**(2) Section 248 is amended by striking out “examined” and substituting “questioned”.**

**(3) Section 249 is amended by striking out “examination” and substituting “questioning”.**

**(4) Section 275 is amended**

**(a) by repealing subsection (5);**

- (b) in subsection (6) by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cL-21**

**100(1) The *Local Authorities Election Act* is amended by this section.**

**(2) Section 103(1) is amended by striking out “by notice of motion”.**

**(3) Section 113(2) is repealed and the following is substituted:**

(2) The costs may, if the judge so orders, be assessed and reviewed in the same manner and according to the same principles as costs are assessed and reviewed under the *Alberta Rules of Court*.

**(4) Section 114 is amended by striking out “taxed” and substituting “assessed”.**

**(5) Section 123 is amended**

- (a) in subsection (1)(b) by striking out “conduct money” and substituting “fees, expenses and allowances”;
- (b) in subsection (2)(a) by striking out “a motion” and substituting “an application”.

**(6) Section 127 is amended**

- (a) in subsection (1) by striking out “a motion” and substituting “an application”;
- (b) in subsections (2) and (3)
  - (i) by striking out “serve a notice of motion in the nature of a quo warranto” and substituting “apply for judicial review for an order in the nature of a quo warranto”;
  - (ii) by striking out “a motion” and substituting “an application”;
- (c) in subsection (4) by striking out “motion” wherever it occurs and substituting “application”;

**(7) Section 128 is amended**

**(a) in subsection (1)**

- (i) by striking out “The notice of motion” and substituting “An application”;**
- (ii) in clauses (a) and (b) by striking out “motion” and substituting “application”;**
- (iii) in clause (b) by striking out “notice” and substituting “copy of the application”;**

**(b) in subsection (2) by striking out “notice of motion”.**

**(8) Section 129 is amended by striking out “notice the witnesses” and substituting “application the witnesses”.**

**(9) Section 130(1) is amended by striking out “notice” and substituting “application”.**

**(10) Sections 131 and 132 are amended by striking out “motion” and substituting “application”.**

**(11) Section 133(1) is amended**

- (a) by striking out “the motion” and substituting “the application”;**
- (b) by striking out “notice of motion” and substituting “application”.**

**(12) Section 137(1) is amended by striking out “in a summary manner”.**

**(13) Section 143 is amended by striking out “a notice of motion” and substituting “an application”.**

**(14) Section 145 is amended by striking out “a notice of motion in the nature of quo warranto” and substituting “an application for judicial review for an order in the nature of a quo warranto”.**

**(15) The following sections are amended by striking out “the notice of motion” and substituting “the application”:**

section 104;  
section 127(5);  
section 129;  
section 130(2).

**Amends RSA 2000 cM-1**

**101(1) The *Maintenance Enforcement Act* is amended by this section.**

**(2) Section 13(3) is amended by striking out** “by an originating notice or by a notice of motion in an existing action”.

**(3) Section 17(4) is amended by striking out** “by notice of motion”.

**(4) Section 27(2)(b) is amended by striking out** “examined” **and substituting** “questioned”.

**(5) Section 28(1) is amended by striking out** “examine” **and substituting** “question”.

**(6) Section 31(3) is repealed.**

**(7) Section 32(1) is amended by striking out** “by notice of motion”.

**(8) Section 36(5)(a) is amended by striking out** “taxed” **and substituting** “assessed”.

**Amends SA 2006 cM-3.5**

**102(1) The *Mandatory Testing and Disclosure Act* is amended by this section.**

**(2) Section 3 is amended**

**(a) in subsection (3) by striking out** “by way of an originating notice” **and substituting** “in accordance with the *Alberta Rules of Court*”;

**(b) in subsections (4) to (8) by striking out** “originating notice” **and substituting** “application”.

**(3) Section 5 is amended**

- (a) in subsection (1) by striking out “by notice of motion”;
- (b) in subsections (2) to (5) by striking out “notice of motion” wherever it occurs and substituting “application”.

**(4) Section 6 is amended**

- (a) in subsection (1) by striking out “, by notice of appeal,”;
- (b) in subsection (2) by striking out “, by notice of motion,”.

**(5) Section 11 is amended**

- (a) in subsection (1) by striking out “, by notice of motion,”;
- (b) in subsections (2) to (5) by striking out “notice of motion” and substituting “application”.

**Amends RSA 2000 cM-4**

**103(1) The *Marketing of Agricultural Products Act* is amended by this section.**

**(2) Section 40(bb) is amended by striking out “conduct money or witness fees” and substituting “fees, expenses and allowances to witnesses”.**

**(3) Section 42(1) is amended by striking out “by originating notice”.**

**(4) Section 45 is amended**

- (a) by repealing subsection (3);
- (b) in subsection (4) by striking out “originating notice” and substituting “application”.

**(5) Section 46 is amended**

- (a) by repealing subsection (2);
- (b) in subsection (3) by striking out “originating notice” and substituting “application”.



**Amends RSA 2000 cM-5**

**104(1) The *Marriage Act* is amended by this section.**

**(2) Section 15(3) is amended by striking out “petition” and substituting “petition or application”.**

**(3) Section 16(1) and (2) are amended by striking out “petition” wherever it occurs and substituting “petition or application”.**

**(4) Section 21 is amended**

**(a) in subsection (1) by striking out “a petition” and substituting “an application”;**

**(b) in subsection (2) by striking out “petitioner” wherever it occurs and substituting “applicant”.**

**(5) Section 23(2) is amended by striking out “on petition”.**

**Amends RSA 2000 cM-8**

**105(1) The *Matrimonial Property Act* is amended by this section.**

**(2) Section 30 is amended**

**(a) by repealing subsection (1)(a);**

**(b) in subsection (3) by striking out “originating notice” and substituting “application”.**

**(3) Section 34 is amended**

**(a) in subsection (3) by striking out “originating notice” and substituting “separate application”;**

**(b) in subsection (5) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cM-9**

**106(1) The *Meat Inspection Act* is amended by this section.**

**(2) Section 8 is amended**

- (a) in subsection (7) by striking out “by way of originating notice”;
- (b) in subsection (8) by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cM-11**

**107(1) The *Medical Profession Act* is amended by this section.**

**(2) Section 47(2) is amended by striking out “summarily apply ex parte” and substituting “apply ex parte”.**

**(3) Section 59 is amended**

- (a) in subsection (5) by striking out “fees” and substituting “fees, expenses and allowances”;
- (b) in subsection (7) by striking out “issuing of a commission for the obtaining of the evidence of the witness and the commission shall be issued and evidence taken pursuant to the *Alberta Rules of Court*, which apply with all necessary modifications” and substituting “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**Amends RSA 2000 cM-12**

**108(1) The *Members of the Legislative Assembly Pension Plan Act* is amended by this section.**

**(2) Schedule 1, section 34(2) is repealed and the following is substituted:**

- (2) The procedure in an appeal to the Court of Queen’s Bench is to be the same as that provided in the *Alberta Rules of Court* for an originating application.

**Amends RSA 2000 cM-13**

**109(1) The *Mental Health Act* is amended by this section.**

**(2) Section 43 is amended**

**(a) in subsection (2) by striking out “originating notice” and substituting “application”;**

**(b) by repealing subsection (3) and substituting the following:**

**(3)** The application shall be served on

(a) the Minister,

(b) the board of the facility in which the patient is detained, and

(c) any other persons the Court directs,

not less than 15 days before the application is returnable, and the practice and procedure of the Court pertaining to applications by originating application apply, insofar as they are applicable, to an application under this section, except as otherwise provided by this section.

**(3) Subject to subsection (4), section 43(3.1) is amended by striking out “notice” and substituting “application”.**

**(4) If this section comes into force before section 20 of the *Mental Health Amendment Act, 2007* comes into force, subsection (3) is repealed.**

**Amends SA 2007 c35**

**110(1) The *Mental Health Amendment Act, 2007* is amended by this section.**

**(2) Subject to subsection (3), section 20 is amended in the new subsection (3.1) by striking out “notice” and substituting “application”.**

**(3) If section 20 of the *Mental Health Amendment Act, 2007* comes into force before the coming into force of subsection (2), subsection (2) is repealed.**

**Amends RSA 2000 cM-14**

**111(1) The *Metis Settlements Act* is amended by this section.**

**(2) Sections 26(2)(a) and (b) and 94.1(1) are amended by striking out “by originating notice”.**

**(3) Section 94.1(1) is amended by striking out “, by originating notice,”.**

**(4) Section 122 is amended**

**(a) in subsection (1)(a) by striking out “on a solicitor and client basis” and substituting “on the basis of the lawyer’s charges to the client”.**

**(b) in subsection (1)(b)**

**(i) in subclause (i) by striking out “on a solicitor and client basis” and substituting “on the basis of the lawyer’s charges to the client”;**

**(ii) in subclause (ii) by striking out “on a party and party basis” and substituting “on the basis of any costs incurred in the proceeding determined under the *Alberta Rules of Court*”.**

**Amends RSA 2000 cM-17**

**112(1) The *Mines and Minerals Act* is amended by this section.**

**(2) Section 98 is amended**

**(a) in subsection (1)(b) by striking out “originating notice” and substituting “application”;**

**(b) in subsection (2)**

**(i) in clause (a) by striking out “by originating notice in the Court of Queen’s Bench, returnable within 60 days after the date on which the notice” and substituting “in the Court of Queen’s Bench, returnable within 60 days after the date on which the application”;**

**(ii) in clause (b) by striking out “by originating notice”.**

**Amends RSA 2000 cM-20**

**113(1) The *Mobile Home Sites Tenancies Act* is amended by this section.**

**(2) Section 47 is amended by striking out** “in a summary manner”.

**(3) Section 58(1) and (3) are amended by striking out** “originating notice” **wherever it occurs and substituting** “application”.

**(4) Section 67 is repealed and the following is substituted:**

**Application to Court of Queen’s Bench**

**67** An application made under this Act to the Court of Queen’s Bench must be made in accordance with the *Alberta Rules of Court*.

**Amends RSA 2000 cM-22**

**114(1) The *Motor Vehicle Accident Claims Act* is amended by this section.**

**(2) Section 4(6)(a) is amended by striking out** “examine for discovery” **and substituting** “have disclosure of records and conduct questioning under Part 5 of the *Alberta Rules of Court*”.

**(3) Section 6(2) is amended by striking out** “by notice of motion or notice of application, as the case may be,”.

**(4) Section 9(1) is amended by striking out** “by originating notice or notice of application, as the case may be,” **and substituting** “in accordance with the *Alberta Rules of Court*”.

**(5) Section 15(1) and (2) are amended by striking out** “taxed by the clerk of the court” **wherever it occurs and substituting** “reviewed under the *Alberta Rules of Court*”.

**(6) Section 16(1)(b) is amended**

**(a) by striking out** “on a party and party basis,”;

**(b) in subclause (i) by striking out** “the column of Schedule C” **and substituting** “the column of Division 2 of Schedule 2”.

**(7) Section 18.1(a) is amended by striking out** “examined at trial or in any examination for discovery” **and substituting** “questioned at trial or at any questioning under Part 5 of the *Alberta Rules of Court*”.

**Amends RSA 2000 cM-26**

**115(1) The *Municipal Government Act* is amended by this section.**

**(2) Section 175(2)(a) and (b) are amended by striking out** “by originating notice”.

**(3) Section 296 is amended**

**(a) in subsection (1) by striking out** “by originating notice”;

**(b) in subsection (3)**

**(i) by striking out** “originating notice” **and substituting** “application”;

**(ii) by striking out** “named in the notice for hearing the application” **and substituting** “named in the application for the hearing”.

**(4) Sections 420(2), 428(1), 436.11(2), 436.18(1), 450(1), 465(2), 497(2) and 536(1) are amended by striking out** “by originating notice”.

**(5) Section 543 is amended**

**(a) in subsection (1) by striking out** “, by way of originating notice,”;

**(b) in subsection (3)**

**(i) by striking out** “originating notice” **and substituting** “application”;

**(ii) by striking out** “named in the notice for hearing the application” **and substituting** “named in the application for the hearing”.

**(6) Section 554(1) is amended by striking out** “by way of originating notice”.

**(7) Section 554.1(1) is amended by striking out “tax and”.**

**Amends RSA 2000 cN-1**

**116(1) The *Natural Gas Marketing Act* is amended by this section.**

**(2) Section 16(4) is amended by striking out “by originating notice”.**

**Amends RSA 2000 cN-7**

**117(1) The *Nursing Homes Act* is amended by this section.**

**(2) Section 17(1) and (2) are amended by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cO-2**

**118(1) The *Occupational Health and Safety Act* is amended by this section.**

**(2) Section 8(4) is amended by striking out “by way of originating notice”.**

**(3) Sections 16(6), 35(12) and 37(7) are amended by striking out “originating notice” and substituting “application”.**

**(4) Section 42 is amended by striking out “by way of originating notice”.**

**(5) Section 44(1)(c) is amended by striking out “on an application made by way of originating notice” and substituting “on application”.**

**Amends RSA 2000 cO-6**

**119(1) The *Oil and Gas Conservation Act* is amended by this section.**

**(2) Section 101(3) is amended by striking out “by way of originating notice”.**

**Amends RSA 2000 cO-9**

**120(1) The *Opticians Act* is amended by this section.**

**(2) Section 13 is amended**

**(a) in subsection (1) by striking out** “, present a petition to the Court of Queen’s Bench praying that the election be set aside” **and substituting** “apply to the Court of Queen’s Bench for an order that the election be set aside”;

**(b) by repealing subsection (3).**

**(3) Section 26(3) is amended by striking out** “issuing of a commission to obtain the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(4) Section 27(3) is amended by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**(5) Section 61 is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-3**

**121(1) The *Partnership Act* is amended by this section.**

**(2) Section 27(1) is amended by striking out** “by notice of motion”.

**Amends SA 2006 cP-3.5**

**122(1) The *Peace Officer Act* is amended by this section.**

**(2) Sections 23(7) and 26 are amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-5**

**123(1) The *Perpetuities Act* is amended by this section.**

**(2) Section 10(1) is amended by striking out** “by notice of motion”.



**Amends RSA 2000 cP-6**

**124(1) The *Personal Directives Act* is amended by this section.**

**(2) Section 24.3(4) is amended by striking out** “by originating notice”.

**(3) Section 25 is amended by striking out** “by way of originating notice”.

**(4) Section 26(1) is amended by striking out** “originating notice” **and substituting** “application”.

**Amends RSA 2000 cP-7**

**125(1) The *Personal Property Security Act* is amended by this section.**

**(2) Section 70 is amended**

**(a) by repealing subsection (1) and substituting the following:**

**Application to Court**

**70(1)** An application to the Court under this Act must be made in accordance with the *Alberta Rules of Court*.

**(b) by repealing subsection (3).**

**Amends RSA 2000 cP-13**

**126(1) The *Pharmacy and Drug Act* is amended by this section.**

**(2) Section 2(3) is amended by striking out** “by way of an originating notice”.

**(3) Section 18.2(a) is amended by striking out** “the sheriff of any judicial district in Alberta” **and substituting** “a sheriff”.

**(4) Section 23.1(2) is repealed and the following is substituted:**

**(2)** A licensee or proprietor may apply to the Court of Queen’s Bench for an order staying a decision by a person or committee under subsection (1).

(3) A copy of an application under subsection (2) must be served on the registrar.

**(5) Section 41(1) is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-14**

**127(1) The *Physical Therapy Profession Act* is amended by this section.**

**(2) Section 6 is amended by striking out** “by way of originating notice”.

**(3) Section 33(3) is amended by striking out** “originating notice” **and substituting** “application”.

**(4) Section 43(2) is repealed and the following is substituted:**

(2) The investigated person may apply to the Court of Queen’s Bench for an order staying the decision of the president.

(3) A copy of an application under subsection (2) must be served on the chair.

**(5) Section 48(3) is amended by striking out** “issuing of a commission for the obtaining of the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(6) Section 49(3) is amended by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**Amends RSA 2000 cP-15**

**128(1) The *Pipeline Act* is amended by this section.**

**(2) Section 28(3) is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-16**

**129(1) The *Podiatry Act* is amended by this section.**

**(2) Section 19(3) is amended by striking out** “the judicial district in which the appellant resides” **and substituting** “at the judicial centre closest to the place where the appellant resides”.

**Amends RSA 2000 cP-17**

**130(1) The *Police Act* is amended by this section.**

**(2) Section 56 is amended**

**(a) by repealing subsection (2);**

**(b) in subsection (3) by striking out** “originating notice” **and substituting** “application”.

**Amends RSA 2000 cP-18**

**131(1) The *Police Officers Collective Bargaining Act* is amended by this section.**

**(2) Section 16(5) is amended by striking out** “application for certiorari or mandamus” **and substituting** “application for judicial review in the nature of certiorari or mandamus”.

**(3) Section 26(1) is amended by striking out** “originating notice” **and substituting** “application”.

**(4) Section 33(2) is amended by striking out** “application for certiorari or mandamus” **and substituting** “application for judicial review in the nature of certiorari or mandamus”.

**(5) Section 34(1) is amended by striking out** “in the judicial district in which” **and substituting** “at the judicial centre closest to the place where”.

**(6) Section 39(7) is amended by striking out** “in the judicial district in which” **and substituting** “at the judicial centre closest to the place where”.

**(7) Section 44(3) is amended by striking out** “application for certiorari or mandamus” **and substituting** “application for judicial review in the nature of certiorari or mandamus”.

**Amends RSA 2000 cP-19**

**132(1) The *Possessory Liens Act* is amended by this section.**

**(2) Section 10(6) is amended by striking out** “may fix the amount due in a summary way” **and substituting** “may, on hearing the application, fix the amount due”.

**Amends SA 2003 cP-19.5**

**133(1) The *Post-secondary Learning Act* is amended by this section.**

**(2) Section 36(5) is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-20**

**134(1) The *Powers of Attorney Act* is amended by this section.**

**(2) Section 9(1) is amended by striking out** “by originating notice”.

**(3) Sections 10(1), 11(1) and 12(3) are amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-24**

**135(1) The *Private Vocational Training Act* is amended by this section.**

**(2) Section 15(4) is amended by striking out** “by originating notice”.

**(3) Section 20(4) and (5) are amended by striking out** “originating notice” **and substituting** “application”.

**(4) Section 23 is amended by striking out** “by originating notice”.

**Amends RSA 2000 cP-25**

**136(1) The *Proceedings Against the Crown Act* is amended by this section.**

**(2) Section 11 is repealed and the following is substituted:**

**Documents and questioning**

**11** In proceedings against the Crown, the *Alberta Rules of Court* as to production and inspection of records and questioning apply in the same manner as if the Crown were a corporation, except that the Crown may refuse to produce a record or to make answer to a question in questioning on the ground that the production of it or the answer would be injurious to the public interest.

**Amends RSA 2000 cP-26**

**137(1) The *Professional and Occupational Associations Registration Act* is amended by this section.**

**(2) Section 29(3) is amended by striking out** “issuing of a commission for the obtaining of the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” **and substituting** “obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(3) Section 30(3) is amended by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**(4) Section 37(1) and (2) are amended by striking out** “originating notice” **and substituting** “application”.

**(5) Section 45 is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cP-27**

**138(1) The *Protection Against Family Violence Act* is amended by this section.**

**(2) Section 6(4) is repealed and the following is substituted:**

**(4)** An application to the Court of Queen’s Bench under this Act must be made in accordance with the *Alberta Rules of Court*.

**Amends RSA 2000 cP-29**

**139(1)** The *Protection for Persons in Care Act* is amended by this section.

**(2)** Section 7(3) is amended by striking out “by originating notice”.

**Amends RSA 2000 cP-30.3**

**140(1)** The *Protection of Sexually Exploited Children Act* is amended by this section.

**(2)** Section 6(1) and (2) are amended by striking out “by originating notice”.

**Amends RSA 2000 cP-31**

**141(1)** The *Provincial Court Act* is amended by this section.

**(2)** Section 9(1)(e) and (2)(e) and (g) are amended by striking out “stenographic reporters” and substituting “court reporters”.

**(3)** Section 9.51(5) is amended by striking out “solicitor-client costs” and substituting “lawyer’s charges”.

**(4)** Section 37(1)(a) is amended by striking out “appointed pursuant to” and substituting “as defined in”.

**(5)** Section 57(1) is amended by striking out “in the judicial district” and substituting “at the judicial centre”.

**Amends RSA 2000 cP-34**

**142(1)** The *Provincial Offences Procedure Act* is amended by this section.

**(2)** Section 18(1) is amended by striking out “in the judicial district in which” and substituting “at the judicial centre closest to the place where”.

**Amends RSA 2000 cP-35**

**143(1)** The *Provincial Parks Act* is amended by this section.

**(2)** Section 11(3) is amended by striking out “by originating notice”.

**Amends RSA 2000 cP-37**

**144(1) The *Public Health Act* is amended by this section.**

**(2) Section 39 is amended**

**(a) in subsection (5) by striking out “by originating notice”;**

**(b) in subsection (6)**

**(i) by striking out “originating notice” and substituting “application”;**

**(ii) by striking out “motion” and substituting “application”;**

**(c) in subsection (7) by striking out “originating notice” and substituting “application”.**

**(3) Section 49 is amended**

**(a) in subsection (1) by striking out “by originating notice”;**

**(b) in subsection (2)**

**(i) by striking out “originating notice” and substituting “application”;**

**(ii) by striking out “motion” and substituting “application”;**

**(c) in subsection (3) by striking out “originating notice” and substituting “application”.**

**(4) Section 54(2)(b) is amended by striking out “by way of originating notice”.**

**(5) Section 61(1) is amended by striking out “by originating notice”.**

**(6) Section 66.2(1) is amended by striking out “by way of originating notice”.**

**Amends RSA 2000 cP-38**

**145(1) The *Public Highways Development Act* is amended by this section.**

**(2) Section 42 is amended by striking out** “by originating notice”.

**Amends RSA 2000 cP-40**

**146(1) The *Public Lands Act* is amended by this section.**

**(2) Section 54.03(3)(a) and (10) are amended by striking out** “by originating notice”.

**Amends RSA 2000 cP-43**

**147(1) The *Public Service Employee Relations Act* is amended by this section.**

**(2) Section 51(7) is amended by striking out** “in the judicial district in which” **and substituting** “at the judicial centre closest to the place where”.

**(3) Section 63(2) is amended by striking out** “application for certiorari or mandamus” **and substituting** “application for judicial review in the nature of certiorari or mandamus”.

**(4) Section 68 is amended**

**(a) in subsections (2) and (3) by striking out** “notice of motion” **and substituting** “application”;

**(b) in subsection (4)**

**(i) by striking out** “notice of motion” **and substituting** “application”;

**(ii) by striking out** “the motion” **and substituting** “the application”.

**Amends RSA 2000 cP-45**

**148(1) The *Public Utilities Act* is amended by this section.**

**(2) Section 120 is amended**

**(a) in subsection (2) by adding** “in the Court of Queen’s Bench” **after** “for an action”;

**(b) by repealing subsection (3).**



**Amends RSA 2000 cP-46**

**149(1) The *Public Works Act* is amended by this section.**

**(2) Section 15(4) is amended by striking out “, on originating notice,”.**

**Amends RSA 2000 cR-2**

**150(1) The *Radiation Protection Act* is amended by this section.**

**(2) Section 15(5) is amended by striking out “by way of originating notice”.**

**(3) Section 17(6) is amended by striking out “by way of originating notice” and substituting “by application”.**

**Amends RSA 2000 cR-4**

**151(1) The *Railway (Alberta) Act* is amended by this section.**

**(2) Section 50 is amended**

**(a) by repealing subsection (2);**

**(b) in subsection (3) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cR-5**

**152(1) The *Real Estate Act* is amended by this section.**

**(2) Section 9(4) is amended by striking out “notice” and substituting “application”.**

**(3) Section 21(2) is amended by striking out “summary”.**

**(4) Section 42(k) is amended by striking out “conduct money” and substituting “allowances”.**

**(5) Section 50 is amended**

**(a) in subsection (7) by striking out “by notice served on the executive director.”;**

**(b) by adding the following after subsection (7):**

**(7.1)** An application under subsection (7) must be served on the executive director.

**(c)** in subsection (10) by striking out “by originating notice served on the executive director,”;

**(d)** by adding the following after subsection (10):

**(11)** An application under subsection (10) must be served on the executive director.

**(6)** Section 52 is amended in subsections (3), (4) and (5) by striking out “originating notice” and substituting “application”.

**(7)** Section 53(2) is amended by striking out “notice” and substituting “application”.

**(8)** Section 75 is amended

**(a)** by repealing subsection (4)(b) and substituting the following:

(b) a person may apply to the Court for an order directing payment or distribution of all or part of the funds or securities to one or more persons.

**(b)** by adding the following after subsection (4):

**(5)** An application under subsection (4)(b) must be served on the industry member.

**(9)** Section 77(2) is amended by striking out “registered mail” wherever it occurs and substituting “recorded mail”.

**Amends RSA 2000 cR-6**

**153(1) The Reciprocal Enforcement of Judgments Act is amended by this section.**

**(2)** Section 5(c) is amended by striking out “taxed by the proper officer of the Court and that officer’s certificate of taxation is endorsed on the order for registration” and substituting “assessed by an assessment officer and that assessment officer’s certificate is endorsed on the order for registration”.

**Amends RSA 2000 cR-7.5**

**154(1) The *Recording of Evidence Act* is amended by this section.**

**(2) Section 4 is amended by striking out** “to the same extent and with the same effect as a transcript of shorthand notes prepared by a reporter pursuant to” **and substituting** “without proof of the signature of the reporter unless the court so orders”.

**Amends RSA 2000 cR-12**

**155(1) The *Regulated Accounting Profession Act* is amended by this section.**

**(2) Section 8(1) is amended by striking out** “by way of originating notice”.

**(3) Section 87 is amended by striking out** “to direct the issuing of a commission to obtain the evidence of the person concerned, and the commission must be issued and the evidence taken in accordance with the *Alberta Rules of Court* or otherwise as the Court may order” **and substituting** “for an order directing the obtaining of the evidence of the person in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta, or as otherwise ordered by the Court”.

**(4) Section 88(3) is amended by striking out** “fees” **and substituting** “fees, expenses and allowances”.

**(5) Section 94(2) is amended by striking out** “legal fees on a solicitor and client basis” **and substituting** “lawyer’s fees in accordance with the *Alberta Rules of Court*”.

**(6) Section 105(3) is repealed and the following is substituted:**

**(3)** A registrant may apply to the Court of Queen’s Bench for an order revoking a direction under subsection (1).

**(4)** A copy of an application under subsection (3) must be served on the accounting organization.

**(7) Section 112(3) is amended by striking out** “legal fees on a solicitor and client basis” **and substituting** “lawyer’s fees in accordance with the *Alberta Rules of Court*”.

**(8) Section 120(1) is amended by striking out “, by originating notice,”.**

**(9) Section 137(a) is amended by striking out “the sheriff of any judicial district in Alberta” and substituting “a sheriff”.**

**Amends RSA 2000 cR-13**

**156(1) The *Regulated Forestry Profession Act* is amended by this section.**

**(2) Section 42 is amended by striking out “by way of originating notice”.**

**(3) Section 54(2) is repealed and the following is substituted:**

**(2)** An investigated person may apply to the Court of Queen’s Bench for an order staying a decision by a person or committee under subsection (1).

**(3)** A copy of an application under subsection (2) must be given to the registrar.

**(4) Section 65(6) is amended by striking out “direct the issuing of a commission for the obtaining of evidence of the witness, but the commission may only be issued and the evidence must be taken in the same manner as under the *Alberta Rules of Court*” and substituting “order evidence to be obtained from the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.**

**(5) Section 79(2)(a) is amended by striking out “the clerk of”.**

**(6) Section 99 is amended by striking out “by way of originating notice”.**

**Amends RSA 2000 cR-15**

**157(1) The *Religious Societies’ Land Act* is amended by this section.**

**(2) Section 25(5)(b) is amended by striking out “by originating notice”.**

**Amends SA 2004 cR-17.1**

**158(1)** The *Residential Tenancies Act* is amended by this section.

**(2)** Section 42 is amended by striking out “in a summary manner”.

**(3)** Section 53(1) and (3) are amended by striking out “originating notice” wherever it occurs and substituting “application”.

**(4)** Section 54.8(1)(a) is amended by striking out “judicial district or other”.

**(5)** Section 71 is repealed and the following is substituted:

**Application to Court of Queen’s Bench**

**71** An application made under this Act to the Court of Queen’s Bench must be made in accordance with the *Alberta Rules of Court*.

**Amends RSA 2000 cR-19**

**159(1)** The *Rural Electrification Loan Act* is amended by this section.

**(2)** Section 23(1) is amended by striking out “by originating notice”.

**(3)** Section 24(1) and (2) are amended by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cR-20**

**160(1)** The *Rural Electrification Long-term Financing Act* is amended by this section.

**(2)** Section 24(1) is amended by striking out “by originating notice”.

**(3)** Section 25(1) and (2) are amended by striking out “originating notice” and substituting “application”.

**Amends RSA 2000 cR-21**

**161(1)** The *Rural Utilities Act* is amended by this section.

**(2) Section 25.5 is amended**

- (a) in subsection (1) by striking out “examined” and substituting “questioned”;**
- (b) in subsection (2) by striking out “examination” and substituting “questioning”.**

**(3) Section 41(1) is amended by striking out “by originating notice”.**

**(4) Section 42(1) and (2) are amended by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cS-1**

**162(1) The *Safety Codes Act* is amended by this section.**

**(2) Section 35 is amended**

- (a) in subsection (2) by striking out “by way of originating notice”;**
- (b) in subsection (3)**
  - (i) by striking out “originating notice” and substituting “application”;**
  - (ii) by striking out “named in the notice for hearing the application” and substituting “named in the application for the hearing”.**

**(3) Section 37 is amended**

- (a) in subsection (1) by striking out “by way of originating notice”;**
- (b) in subsection (2)**
  - (i) by striking out “originating notice” and substituting “application”;**
  - (ii) by striking out “named in the notice for hearing the application” and substituting “named in the application for the hearing”.**

**(4) Section 53(2)(a) and (b) are amended by striking out “originating notice” and substituting “application”.**

**(5) Section 57 is amended**

**(a) in subsection (1)**

**(i) by striking out “apply” and substituting “make an application”;**

**(ii) by striking out “by way of originating notice”;**

**(b) in subsection (2)**

**(i) by striking out “originating notice” and substituting “application”;**

**(ii) by striking out “the notice” and substituting “the application”.**

**Amends RSA 2000 cS-3**

**163(1) The *School Act* is amended by this section.**

**(2) Sections 28(5), 86(b) and (c) and 87(1) are amended by striking out “by originating notice”.**

**(3) Sections 128(3) and 142(1) are amended by striking out “in the judicial district in which” and substituting “at the judicial centre closest to the place where”.**

**(4) Section 189(1) is amended by striking out “by means of an originating notice”.**

**(5) Section 267(1) is amended by striking out “originating notice” and substituting “application”.**

**(6) Section 279(1) and (2) are amended by striking out “by originating notice”.**

**Amends RSA 2000 cS-4**

**164(1) The *Securities Act* is amended by this section.**

**(2) Section 27 is amended**

- (a) in subsection (1)**
    - (i) in clause (c) by striking out “examined” and substituting “questioned”;**
    - (ii) in clause (e) by striking out “examination” wherever it occurs and substituting “questioning”;**
  - (b) in subsection (2) by striking out “examination” and substituting “questioning”.**
- (3) Section 29(m) is amended by striking out “conduct money” and substituting “fees, expenses and allowances”.**
- (4) Section 42(10) is amended by striking out “by a notice of motion”.**
- (5) Section 69(1)(f) is amended by striking out “conduct money” and substituting “fees, expenses and allowances”.**
- (6) Section 202(6) is amended by striking out “taxation” and substituting “review and assessment”.**
- (7) Section 211.08 is amended**
- (a) in subsection (1) by striking out “motion” and substituting “application”;**
  - (b) in subsection (4) by striking out “examined” and substituting “questioned”.**
- (8) Section 215 is amended**
- (a) in subsection (1) by striking out “examined” wherever it occurs and substituting “questioned”;**
  - (b) in subsections (2) and (3) by striking out “an examination” and substituting “questioning”.**
- (9) Section 219 is amended**
- (a) in subsection (1)**
    - (i) by striking out “shall be made by originating notice and”;**



(ii) **by striking out** “the notice” **and substituting** “a copy”;

(b) **in subsection (2)**

(i) **by striking out** “A notice” **and substituting** “A copy”;

(ii) **by striking out** “for an originating notice”.

**Amends RSA 2000 cS-10**

**165(1) The *Social Care Facilities Licensing Act* is amended by this section.**

**(2) Section 7(5) is amended by striking out** “by way of originating notice”.

**(3) Section 10(8) is amended by striking out** “originating notice” **and substituting** “application”.

**(4) Section 11(6) is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cS-11**

**166(1) The *Social Care Facilities Review Committee Act* is amended by this section.**

**(2) Section 15(1) is amended by striking out** “by originating notice”.

**Amends RSA 2000 cS-15**

**167(1) The *Soil Conservation Act* is amended by this section.**

**(2) Section 12(1)(n) is amended by striking out** “conduct money or witness fees” **and substituting** “fees, expenses and allowances to witnesses”.

**(3) Section 23 is amended**

(a) **in subsection (1) by striking out** “by originating notice”;

(b) **in subsection (2) by striking out** “originating notice” **and substituting** “application”.

**Amends RSA 2000 cS-24**

**168(1) The *Surface Rights Act* is amended by this section.**

**(2) Section 14(3) is amended by striking out** “by way of originating notice”.

**(3) Section 26 is amended**

**(a) in subsection (3)(a) by striking out** “in the office of the clerk of the Court in the judicial district in which the land is situated” **and substituting** “with the clerk of the Court at the judicial centre closest to the place where the land is situated”;

**(b) in subsection (9)**

**(i) by striking out** “on a solicitor and client basis” **wherever it occurs and substituting** “on the basis of the lawyer’s charges to the client”;

**(ii) in clause (b)(ii) by striking out** “on a party and party basis” **and substituting** “on the basis of any costs incurred in the proceeding determined under the *Alberta Rules of Court*”.

**Amends RSA 2000 cS-26**

**169(1) The *Surveys Act* is amended by this section.**

**(2) Section 9(14) is amended by striking out** “originating notice” **and substituting** “application”.

**Amends RSA 2000 cT-1**

**170(1) The *Teachers’ Pension Plans Act* is amended by this section.**

**(2) Section 22 is amended by striking out** “originating notice” **and substituting** “application”.

**Amends RSA 2000 cT-2**

**171(1) The *Teaching Profession Act* is amended by this section.**

**(2) Section 30(2) is amended by striking out “originating notice” and substituting “application”.**

**(3) Section 37 is amended by striking out “direct the issuing of a commission for obtaining the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*” and substituting “order the obtaining of the evidence of the witness in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.**

**(4) Section 38(3) is amended by striking out “fees” and substituting “fees, expenses and allowances”.**

**Amends RSA 2000 cT-4**

**172(1) The *Tobacco Tax Act* is amended by this section.**

**(2) Section 21 is amended**

**(a) by repealing subsection (5);**

**(b) in subsection (6) by striking out “originating notice” and substituting “application”.**

**(3) Section 26(1) is amended by striking out “by originating notice”.**

**Amends RSA 2000 cT-5.5**

**173(1) The *Tourism Levy Act* is amended by this section.**

**(2) Section 22 is amended**

**(a) by repealing subsection (5);**

**(b) in subsection (6) by striking out “originating notice” and substituting “application”.**

**(3) Section 25 is amended**

**(a) by repealing subsection (5);**

**(b) in subsection (6) by striking out “originating notice” and substituting “application”.**

**Amends RSA 2000 cT-6**

**174(1)** The *Traffic Safety Act* is amended by this section.

**(2)** Section 47.1(2) is amended by striking out “originating notice” and substituting “application”.

**(3)** Section 67 is amended

**(a)** by repealing subsection (3);

**(b)** in subsection (4) by striking out “originating notice” and substituting “application”.

**(4)** Section 104(1) is amended by striking out “by originating notice”.

**(5)** Section 142 is amended

**(a)** by repealing subsection (4);

**(b)** in subsection (5) by striking out “originating notice” and substituting “application”.

**(6)** Section 181(1)(b)(i) is amended by striking out “notice of motion” and substituting “application”.

**Amends RSA 2000 cT-8**

**175(1)** The *Trustee Act* is amended by this section.

**(2)** Sections 36(1) and 37(1) are amended by striking out “by originating notice”.

**Amends RSA 2000 cU-2**

**176(1)** The *Unconscionable Transactions Act* is amended by this section.

**(2)** Section 3(b) is amended by striking out “on an originating notice” and substituting “proceeding”.

**Amends RSA 2000 cV-2**

**177(1)** The *Veterinary Profession Act* is amended by this section.

**(2) Section 4 is amended by striking out** “by way of originating notice”.

**(3) Section 33 is amended**

**(a) in subsection (2) by striking out** “by filing an originating notice with the Court and giving a copy to the Registrar”;

**(b) by adding the following after subsection (2):**

**(3)** A copy of an application under subsection (2) must be given to the Registrar.

**(4) Section 38.1(6) is amended by striking out** “direct the issuing of a commission for the obtaining of evidence of the witness, but the commission may only be issued and the evidence must be taken in the same manner as under the *Alberta Rules of Court*” **and substituting** “order the evidence of the witness to be obtained in the manner provided under the *Alberta Rules of Court* for the taking of the evidence of a person outside Alberta”.

**(5) Section 45.1(2)(a) is amended by striking out** “the clerk of”.

**Amends SA 2001 cV-3.5**

**178(1) The *Victims Restitution and Compensation Payment Act* is amended by this section.**

**(2) Sections 3(1) and 4(1) are amended by striking out** “originating notice” **and substituting** “originating application”.

**(3) Section 7(3) is amended by striking out** “a notice of motion” **and substituting** “an application”.

**(4) Section 12(b) is amended by striking out** “to attend an examination for the purposes of being examined” **and substituting** “to attend an appointment for the purpose of being questioned”.

**(5) Sections 19.2(1) and 19.3(1) are amended by striking out** “originating notice” **and substituting** “originating application”.

**(6) Section 19.6(3) is amended by striking out** “a notice of motion” **and substituting** “an application”.

**(7) Section 19.92(b) is amended by striking out** “to attend an examination for the purposes of being examined” **and substituting** “to attend an appointment for the purpose of being questioned”.

**(8) Section 52(2) is amended**

**(a) in clause (a) by striking out** “examined” **and substituting** “questioned”;

**(b) by striking out** “may be examined” **and substituting** “may be questioned”.

**Amends SA 2007 cV-4.1**

**179(1) The *Vital Statistics Act*, SA 2007 cV-4.1, is amended by this section.**

**(2) Section 56(5) is amended by striking out** “by originating notice”.

**(3) Section 62(1) is amended by striking out** “originating notice” **and substituting** “application”.

**(4) Section 70 is repealed and the following substituted:**

**Notice of application**

**70** An application to the Court of Queen’s Bench under this Act must be served on the Registrar and on any notice to other persons that the Court requires.

**Amends RSA 2000 cW-3**

**180(1) The *Water Act* is amended by this section.**

**(2) Section 76(1) is amended by striking out** “originating notice” **and substituting** “application”.

**(3) Section 121(2) is amended by striking out** “by way of originating notice”.

**(4) Section 121(3) is amended by striking out** “originating notice” **and substituting** “application”.

**(5) Section 154(2) is repealed and the following is substituted:**

(2) A copy of the application and supporting material must be given to the party or parties named in the application at least 48 hours prior to the time set for the hearing unless the Court is of the opinion that the urgency of the situation is such that giving notice would not be in the public interest.

**Amends RSA 2000 cW-5**

**181(1) The *Weed Control Act* is amended by this section.**

**(2) Section 20(5) is amended by striking out** “by way of originating notice”.

**Amends RSA 2000 cW-10**

**182(1) The *Wildlife Act* is amended by this section.**

**(2) Section 78(1) is amended by striking out** “by originating notice”.

**Amends RSA 2000 cW-14**

**183(1) The *Woodmen’s Lien Act* is amended by this section.**

**(2) Section 7(1)(a) and (2) are amended by striking out** “in the office of the clerk of the Court of Queen’s Bench of the judicial district in which” **and substituting** “with the clerk of the Court at the judicial centre closest to the place where”.

**(3) Section 11 is amended by striking out** “summarily”.

**(4) Section 12 is amended by striking out** “, and may summarily dispose of the application”.

**(5) Section 21(1) is amended by striking out** “taxed by the clerk” **and substituting** “assessed by an assessment officer”.

**(6) Section 22 is amended by striking out** “taxed by the clerk” **and substituting** “assessed by an assessment officer”.

**(7) Section 32 is amended by striking out** “and the tariff of costs”.

**Amends RSA 2000 cW-15**

**184(1) The *Workers' Compensation Act* is amended by this section.**

**(2) Sections 13.2(11) and 13.4(2), (3), (4), (6), (7) and (10) are amended by striking out “originating notice” and substituting “application”.**

**(3) Section 18 is amended**

**(a) in subsection (4) by striking out “by originating notice”;**

**(b) in subsection (5) by striking out “originating notice” and substituting “application”.**

**(4) Section 22(9)(b) is amended by striking out “examinations for discovery” and substituting “questionings under Part 5 of the *Alberta Rules of Court*”.**

**(5) Section 127(2) is amended by striking out “in any judicial district” and substituting “at any judicial centre”.**

**(6) Section 128 is amended by striking out “by originating notice”.**

**(7) Section 135(12) is amended by striking out “of the judicial district within which” and substituting “at the judicial centre closest to the place where”.**

**(8) Section 151 is repealed and the following is substituted:**

**Costs**

**151** Notwithstanding that the remuneration of counsel representing the Board is paid wholly or partly by salary, the Board is entitled to costs in any action or proceeding to which the Board is a party or which the Board brings under section 22.

**(9) Section 157.1(4) is amended by striking out “originating notice” and substituting “application”.**

**Coming into Force**

**Coming into force**

**185 This Act comes into force on Proclamation.**



**185** Coming into force.





