

THE ALBERTA GAZETTE, PART I, SEPTEMBER 30, 1998
(Vol. 94, No. 18, Pp. 1781 - 1794)

GOVERNMENT NOTICES

INTERGOVERNMENTAL AND ABORIGINAL AFFAIRS

**Alberta's NAFTA Financial Services Reservations
NAFTA Annex VII(A)**

Pursuant to the Alberta International Trade and Investment Agreements Implementation Act (RSA 1980, Chapter I-6.9, s.3), the Government of Alberta, by Order in Council 17\96 on January 10, 1996, approved the North American Free Trade Agreement (NAFTA). In the implementation of the NAFTA, the Government of Alberta, pursuant to NAFTA Article 1409, set out certain non-conforming provincial measures in Section A of the Canadian schedule to NAFTA Annex VII.

The NAFTA contains the following description of the contents of Annex VII, and is included as an aid in the interpretation of the Alberta reservations.

1. *Section A of the Schedule of a Party sets out the reservations taken by that Party, pursuant to Article 1409(1) (Financial Services), with respect to existing measures that do not conform with obligations imposed by:*
 - (a) *Article 1403 (Establishment of Financial Institutions);*
 - (b) *Article 1404 (Cross-Border Trade);*
 - (c) *Article 1405 (National Treatment);*
 - (d) *Article 1406 (Most-Favored-Nation Treatment);*
 - (e) *Article 1407 (New Financial Services and Data Processing); or*
 - (f) *Article 1408 (Senior Management and Boards of Directors).*
2. *Each reservation in Section A sets out the following elements:*
 - (a) **Sector** *refers to the general sector in which the reservation is taken;*
 - (b) **Sub-Sector** *refers to the specific sector in which the reservation is taken;*
 - (c) **Industry Classification** *refers, where applicable, to the activity covered by the reservation according to domestic industry classification codes;*
 - (d) **Type of Reservation** *specifies the obligation referred to in paragraph 1 for which the reservation is taken;*
 - (e) **Level of Government** *indicates the level of government maintaining the measure for which the reservation is taken;*
 - (f) **Measures** *identifies the laws, regulations or other measures, as qualified by the **Description** element, for which the reservation is taken. A measure cited in the **Measures** element*
 - (i) *means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and*
 - (ii) *includes any subordinate measure adopted or maintained under the authority of and consistent with the measure;*
 - (g) **Description** *sets out references, if any, for liberalization on the date of entry into force of this Agreement pursuant to other sections of a Party's Schedule to this Annex, and the remaining non-conforming aspects of the existing measures for which the reservation is taken; and*
 - (h) **Phase-Out** *sets out commitments, if any, for liberalization after the date of entry into force of this Agreement.*

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3. *In the interpretation of a reservation, all elements of the reservation shall be considered. A reservation shall be interpreted in the light of the relevant provisions of the Chapter against which the reservation is taken. To the extent that:*
- (a) *the **Phase-Out** element provides for the phasing out of the non-conforming aspects of measures, the **Phase-Out** element shall prevail over all other elements;*
 - (b) *the **Measures** element is qualified by a specific reference in the **Description** element, the **Measures** element as so qualified shall prevail over all other elements; and*
 - (c) *the **Measures** element is not so qualified, the **Measures** element shall prevail over all other elements, unless any discrepancy between the **Measures** element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the **Measures** element should prevail, in which case the other elements shall prevail to the extent of that discrepancy.*
4. *Section B of the Schedule of a Party sets out reservations taken by the Party, pursuant to Article 1409(2), for measures the Party may adopt or maintain that do not conform with obligations imposed by Article 1403, 1404, 1405, 1406, 1407 or 1408.*
5. *Section C of the Schedule of a Party sets out the commitments to liberalize measures undertaken by that Party pursuant to Article 1409(3).*
6. *For purposes of this Annex:*
- CMAF** means *Clasificación Mexicana de Actividades y Productos (CMAF) numbers as set out in Instituto Nacional de Estadística, Geografía e Informática, Clasificación Mexicana de Actividades y Productos, 1988;**
- CPC** means *Central Product Classification (CPC) numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991; and**
- SIC** means:*
- (a) *with respect to Canada, Standard Industrial Classification (SIC) number as set out in Statistics Canada, Standard Industrial Classification, fourth edition, 1980; and*
 - (b) *with respect to the United States, Standards Industrial Classification (SIC) numbers as set out in the United States Office of Management and Budget, Standard Industrial Classification Manual, 1987.*

These reservations were formally filed with the NAFTA countries on January 1, 1994, and are published here for transparency purposes.

Sector:	Finance and Insurance Industries
Sub-Sector:	Deposit Accepting Intermediary Industries
Industry Classification:	703 Trust Companies
Type of Reservation:	Senior Management and Boards of Directors (Article 1408)
Level of Government:	Provincial - Alberta
Measures:	<i>Loan and Trust Corporations Act</i> , R.S.A. 1980, c. L-26.5
Description:	At least 3/4 of the directors of a provincial corporation (a corporation incorporated or continued under the <i>Loan and Trust Corporations Act</i>) must be ordinarily resident in Canada.
Phase-Out:	None
Sector:	Finance and Insurance Industries
Sub-Sector:	Deposit Accepting Intermediary Industries
Industry Classification:	705 - Credit Unions
Type of Reservation:	Establishment of Financial Institutions (Article 1403) National Treatment (Article 1405) Senior Management and Boards of Directors (Article 1408)
Level of Government:	Provincial - Alberta
Measures:	<i>Credit Union Act</i> , R.S.A. 1980., c. C-31.1
Description:	Only Alberta residents can incorporate a credit union in Alberta.

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A director of a credit union must be a Canadian citizen or a person who has been lawfully admitted into Canada for permanent residence.

3/4 of the directors of a credit union must at all times be ordinarily resident in Alberta.

Business powers of extra-provincial credit unions are limited to taking the steps necessary to collect or enforce an obligation owed to it as a result of a transaction conducted in and under the laws of another jurisdiction.

Phase-Out:

None

Sector:

Finance and Insurance Industries

Sub-Sector:

Investment Intermediary Industries

Industry Classification:

721 - Portfolio Investment Intermediaries

Type of Reservation:

Cross-Border Trade (Article 1404)

Level of Government:

Provincial - Alberta

Measures:

National Policy Statement No. 39, Section 7 (policy statement issued by all of the securities regulatory authorities in Canada)

Description:

Mutual funds that offer securities in Canada must use a custodian resident in Canada. A non-resident custodian may be used if it has shareholders' equity of at least \$100 million.

Phase-Out:

None

Sector:

Finance and Insurance Industries

Sub-Sector:

Investment Intermediary Industries
Other Financial Intermediary Industries

Industry Classification:

721 - Portfolio Investment Intermediaries
741 - Securities Brokers and Dealers
743 - Securities and Commodities Exchanges

Type of Reservation:

Cross-Border Trade (Article 1404)

Level of Government:

Provincial - Alberta

Measures:

Securities Act, S.A. 1981, c. S-6.1, as am.

Description:

Any person or company trading in securities or exchange contracts (commodities) must be registered, unless an exemption is available. Trades in securities and exchange contracts made through a dealer registered in Alberta are exempted. No exemption is available for trades in securities made through dealers operating on a cross-border basis. Trades in exchange contracts resulting from an unsolicited order placed with an individual who is not a resident of, and does not carry on business, in Alberta are exempt.

Phase-Out:

None

Sector:

Finance and Insurance Industries

Sub-Sector:

Other Financial Intermediary Industries

Industry Classification:

742 - Mortgage Brokers

Type of Reservation:

Establishment of Financial Institutions (Article 1403)
National Treatment (Article 1405)

Level of Government:

Provincial - Alberta

Measures:

Mortgage Brokers Regulation Act, R.S.A. 1980, c. M-19

Description:

Individuals must be Alberta resident and resident of Canada for not less than 3 months to be registered.

Phase-Out:

None

Sector:

Finance and Insurance Industries

Sub-Sector:

Insurances Industries

Industry Classification:

731 - Life Insurers
732 - Deposit Insurers
733 - Property and Casualty Insurers

Type of Reservation:

National Treatment (Article 1405)

Level of Government:

Provincial - Alberta

Measures:

Insurance Act, R.S.A. 1980, c.I-5

Description:

A guarantee fund must be maintained in a minimum amount of \$50,000, except:

when a fire insurance exchange has a principal office in Alberta, the minimum size of the guarantee fund is reduced to \$2,000, and when an automobile insurance exchange has a principal office in Alberta the minimum size of the guarantee fund is reduced to \$10,000 for the first year of operation and \$25,000 thereafter.

Phase-Out:

None

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Sector:	Finance and Insurance Industries
Sub-Sector:	Investment Intermediary Industries Other Financial Intermediary Industries
Industry Classification:	721 - Portfolio Investment Intermediaries 741 - Securities Brokers and Dealers 743 - Securities and Commodities Exchanges
Type of Reservation:	Senior Management and Boards of Directors (Article 1408)
Level of Government:	Provincial - Alberta
Measures:	<i>Securities Act</i> , S.A. 1981, c. S-6.1, as am.
Description:	Registration may be refused to a company if a director has not been a resident of Canada for at least a year immediately prior to the date of application, or has been registered for at least a year under the laws of another jurisdiction.
Phase-Out:	None
Sector:	Finance and Insurance Industries
Sub-Sector:	Investment Intermediary Industries Other Financial Intermediary Industries
Industry Classification:	721 - Portfolio Investment Intermediaries 741 - Securities Brokers and Dealers 743 - Securities and Commodities Exchanges
Type of Reservation:	Establishment of Financial Institutions (Article 1403) National Treatment (Article 1405)
Level of Government:	Provincial - Alberta
Measures:	<i>Securities Act</i> , S.A. 1981, c. S-6.1, as am.
Description:	An individual applicant for registration is required to have been a resident of Canada for at least one year prior to the application and a resident of Alberta on the date of the application.
Phase-Out:	None
Sector:	Finance and Insurance Industries
Sub-Sector:	Insurances Industries
Industry Classification:	731 - Life Insurers 732 - Deposit Insurers 733 - Property and Casualty Insurers
Type of Reservation:	Establishment of Financial Institutions (Article 1403) National Treatment (Article 1405)
Level of Government:	Provincial - Alberta
Measures:	<i>Insurance Act</i> , R.S.A. 1980, c.I-5
Description:	No licensed insurer shall insure a risk in Alberta unless the risk has been approved by an agent of the insurer who is resident in Alberta and who holds a certificate of authority from the Superintendent. The resident agent shall sign the policies, make a record of them and receive a portion of the commission paid in respect of the risk situated in Alberta.
Phase-Out:	None

Alberta's NAFTA Qualitative Restrictions Reservations
NAFTA Annex V

Pursuant to the Alberta International Trade and Investment Agreements Implementation Act (RSA 1980, Chapter I-6.9, s. 3), the Government of Alberta, by Order in Council 17/96 on January 10, 1996, approved the North American Free Trade Agreement (NAFTA). In the implementation of the NAFTA, the Government of Alberta, pursuant to NAFTA Article 1207, set out certain non-conforming provincial measures in the Canadian schedule to NAFTA Annex V.

The NAFTA contains the following description of the contents of Annex V, which is included as an aid in the interpretation of the Alberta reservations.

1. *The Schedule of a Party sets out the non-discriminatory quantitative restrictions maintained by that Party pursuant to Article 1207.*
2. *Each entry sets out the following elements:*

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- (a) *Sector* refers to the general sector in which the quantitative restriction is maintained;
- (b) *Sub-Sector* refers to the specific sector in which the quantitative restriction is maintained;
- (c) *Industry Classification* refers, where applicable, to the activity covered by the quantitative restriction according to domestic industry classification codes;
- (d) *Level of Government* indicates the level of government maintaining the quantitative restriction;
- (e) *Measures* identifies the measures under which the quantitative restriction is maintained; and
- (f) *Description* sets out the scope of the sector, sub-sector or activities covered by the quantitative restriction.

3. For purposes of this Annex:

CMAF means *Clasificación Mexicana de Actividades y Productos (CMAF) numbers as set out in Instituto Nacional de Estadística, Geografía e Informática, Clasificación Mexicana de Actividades y Productos, 1988;*

CPC means *Central Product Classification (CPC) numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991; and*

SIC means:

- (a) *with respect to Canada, Standard Industrial Classification (SIC) numbers as set out in Statistics Canada, Standard Industrial Classification, fourth edition, 1980; and*
- (b) *with respect to the United States, Standard Industrial Classification (SIC) numbers as set out in the United States Office of Management and Budget, Standard Industrial Classification Manual, 1987.*

These reservations were formally filed with the NAFTA countries on January 1, 1995, and are published here for transparency purposes.

Sector: **Business Service Industries**
Sub-Sector: Advertising Services
Industry Classification: 7741 Advertising Services
7742 Media Representatives
7749 Other Advertising Services
7799 Other Business Services (n.e.c.)
Level of Government: Provincial (Alberta)
Measures: Public Contributions Act, R.S.A. 1981, c. P-26
Description: Approval by a municipal approving authority or the provincial Director is required prior to anyone undertaking charitable campaign within the Province. Approving authorities may refuse approval based on the number of charitable campaigns

Sector: **Wholesale Trade Industries**
Sub-Sector: Food, Beverage, Drug and Tobacco Industries, Wholesale
Industry Classification: 5212 Frozen Foods (packaged) Wholesale
5215 Fish and Seafood, Wholesale
Level of Government: Provincial (Alberta)
Measures: Fish Marketing Act, R.S.A. 1980, c. F-12
Description: Freshwater Fish Marketing Corporation has the exclusive right to buy, distribute and market fish in Alberta.
Phase-Out: None

Sector: **Other Utility Industries**
Sub-Sector: Electric Power Systems Industry
Industry Classification: 4911 Electric Power Systems Industry
Level of Government: Provincial (Alberta)
Measures: Hydro and Electric Energy Act, R.S.A. 1980, c. H-13
Description: No person may construct or operate an electric distribution system without Approval of the Board. The Board must be satisfied that it is in the public interest to give such approval having regard to the present

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and future need for the extension of electric service and other factors. The approval by the Board must include a designation of a service area.

**Alberta's NAFTA Investment and Cross-Border
Trade in Services Reservations
NAFTA Annex I**

Pursuant to the Alberta International Trade and Investment Agreements Implementation Act (RSA 1980, Chapter I-6.9, s.3), the Government of Alberta, by Order in Council 17/96 on January 10, 1996, approved the North American Free Trade Agreement (NAFTA). In the implementation of the NAFTA, the Governments of Canada, United States of America, and the United Mexican States agreed to the following reservation for provincial and territorial measures on March 29, 1996, pursuant to NAFTA Articles 1108 and 1206:

Sector:	All Sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National Treatment (1102,1202) Most-Favoured Nation Treatment (1103, 1203) Local Presence (1205) Performance Requirements (1106) Senior Management and Boards of Directors (1107)
Level of Government:	Provincial
Measures:	All existing non-conforming measures of all provinces and territories
Description:	
Phase-Out:	None

The NAFTA contains the following description of the contents of Annex I, which is included as an aid in the interpretation of this reservation:

1. *The Schedule of a Party sets out, pursuant to Articles 1108(1) (Investment), 1206(1) (Cross-Border Trade in Services) and 1409(4) (Financial Services), the reservations taken by that Party with respect to existing measures that do not conform with obligations imposed by:*
 - (a) *Article 1102, 1202 or 1405 (National Treatment),*
 - (b) *Article 1103, 1203 or 1406 (Most-Favored-Nation Treatment),*
 - (c) *Article 1205 (Local Presence),*
 - (d) *Article 1106 (Performance Requirements), or*
 - (e) *Article 1107 (Senior Management and Boards of Directors),**and, in certain cases, sets out commitments for immediate or future liberalization.*
2. *Each reservation sets out the following elements:*
 - (a) **Sector** refers to the general sector in which the reservation is taken;
 - (b) **Sub-Sector** refers to the specific sector in which the reservation is taken;
 - (c) **Industry Classification** refers, where applicable, to the activity covered by the reservation according to domestic industry classification codes;
 - (d) **Type of Reservation** specifies the obligation referred to in paragraph 1 for which a reservation is taken;
 - (e) **Level of Government** indicates the level of government maintaining the measure for which a reservation is taken;

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- (f) **Measures** identifies the laws, regulations or other measures, as qualified, where indicated, by the **Description** element, for which the reservation is taken. A measure cited in the **Measures** element
- (i) means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and
- (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure;
- (g) **Description** sets out commitments, if any, for liberalization on the date of entry into force of this Agreement, and the remaining non-conforming aspects of the existing measures for which the reservation is taken; and
- (h) **Phase-Out** sets out commitments, if any, for liberalization after the date of entry into force of this Agreement.
3. In the interpretation of a reservation, all elements of the reservation shall be considered. A reservation shall be interpreted in the light of the relevant provisions of the Chapters against which the reservation is taken. To the extent that:
- (a) the **Phase-Out** element provides for the phasing out of non-conforming aspects of measures, the **Phase-Out** element shall prevail over all other elements;
- (b) the **Measures** element is qualified by a liberalization commitment from the **Description** element, the **Measures** element as so qualified shall prevail over all other elements; and
- (c) the **Measures** element is not so qualified, the **Measures** element shall prevail over all other elements, unless any discrepancy between the **Measures** element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the **Measures** element should prevail, in which case the other elements shall prevail to the extent of that discrepancy.
4. Where a Party maintains a measure that requires that a service provider be a citizen, permanent resident or resident of its territory as a condition to the provision of a service in its territory, a reservation for that measure taken with respect to Article 1202, 1203 or 1205 or Article 1404, 1405 or 1406 shall operate as a reservation with respect to Article 1102, 1103 or 1106 to the extent of that measure.
5. For purposes of this Annex:
- CMAP** means *Clasificación Mexicana de Actividades y Productos (CMAP) numbers as set out in Instituto Nacional de Estadística, Geografía e Informática, Clasificación Mexicana de Actividades y Productos, 1988;*
- concession** means an authorization provided by the State to a person to exploit a natural resource or provide a service, for which Mexican nationals and Mexican enterprises are granted priority over foreigners;
- CPC** means *Central Product Classification (CPC) numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991;*
- foreigners' exclusion clause** means the express provision in an enterprise's by-laws stating that the enterprise shall not allow foreigners, directly or indirectly, to become partners or shareholders of the enterprise;
- international cargo** means goods that have an origin or destination outside the territory of a Party;
- Mexican enterprise** means an enterprise constituted under the law of Mexico; and
- SIC** means:
- (a) with respect to Canada, *Standard Industrial Classification (SIC) numbers as set out in Statistics Canada, Standard Industrial Classification, fourth edition, 1980; and*
- (b) with respect to the United States, *Standard Industrial Classification (SIC) numbers as set out in the United States Office of Management and Budget, Standard Industrial Classification Manual, 1987.*

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This reservation applies to all provincial non-conforming measures which were in existence as at January 1, 1994. For transparency purposes, and without limiting the generality of the reservation described above, the following is an illustrative list of the types of Alberta measures that are covered by this reservation:

Measures: **Industrial Benefit Policy**

Description: Investment

When issuing permits for large scale projects, including Industrial Development, Forest Management, Oil Sands , Power Plant or Gas Plant Coal Development Permits, Alberta may require that first consideration be given to suppliers from within Alberta or Canada where competitive in terms of price and quality.

Measures: **Alberta Government Telephones Reorganization Act, R.S.A. 1980, c. A-23.5**

Description: Investment

When making an offering of voting shares to the public at large, the offering must be made to Alberta residents alone or in common with non-residents of Alberta. "Non-residents" include individuals not ordinarily resident in Alberta, corporations with its heads office outside Alberta and corporations controlled, directly or indirectly, by non-residents

The number of voting shares that may be held by non-residents of Canada is limited to 10% of the total number of issued and outstanding voting shares.

Measures: **Vencap Equities Alberta Act, R.S.A. 1980, c. V-1.5**

Description: Investment

The Act establishes "Vencap Equities Alberta", a venture capital fund. The bylaws which are included in this Act provide, in part, that no common share of Vencap can be transferred to:
an individual that is not a Canadian citizen or ordinarily resident in Canada, or

a company that does not have a majority of directors or shareholders that are Canadian citizens or ordinarily resident in Alberta

Measures: **Licensing of Trades and Businesses Act, R.S.A. 1980, c. L-14**

Funeral Services Regulation

Description: Cross Border Services

To be licensed as funeral directors, applicants must have worked in Alberta for 1 year full-time, or 2 years part-time.

Measures: **Mortgage Brokers Regulation Act, R.S.A. 1980, c. M-19**

Description: Cross Border Services

An individual must be an Alberta resident and a resident of Canada for not less than 3 months immediately prior to the date of his application for registration.

In order to be eligible for registration, a partnership or corporation must maintain a business office in Alberta and designate a representative who must meet the residency requirements, described above, and be bonded.

Measures: **Real Estate Agents' Licensing Act, R.S.A. 1980, c. R-5**

Description: Cross Border Services

An individual is not eligible to be licensed as an agent unless the individual is resident in Alberta and has been a resident of Canada for not less than 3 months immediately prior to the application for a license.

An applicant is not eligible to be licensed and an agent is not eligible to continue to hold a license unless the applicant or agent individually, or at least one member of a partnership or corporation, maintains a business office in Alberta. "Business office" means the space used as an office for the purpose of trading in real estate.

Measures: **Legal Profession Act, R.S.A. 1980, c. L-9, L-9.1**

Description: Cross Border Services and Investment

To be enrolled as a member of the Law Society of Alberta, a person must show that he is a Canadian citizen or lawfully admitted into Canada for permanent residence.

A person may be admitted as a "student-at-law" by satisfying certain educational requirements. These educational requirements may not be required of

a) a person with three year's standing as a lawyer in another Canadian province or in England, Scotland, Northern Ireland, Eire, New Zealand or Australia, or

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b) a solicitor of the Supreme Court of Judicature in England who has been performing, in Alberta, services of a legal nature for the Department of Justice of Alberta of the Government of Alberta for at least 3 years of a five year period immediately preceding the application for enrollment.

Measures: Liquor Control Act, R.S.A. 1980, c. L-17, Liquor Administration Regulation
Description: Cross Border Services and Investment
Liquor licenses are restricted to an adult who is a Canadian citizen or lawfully admitted to Canada for permanent residence.

Measures: Chartered Accountants Act, R.S.A. 1980, c. C-5.1
Description: Cross Border Services and Investment
In order to be eligible to be registered as a student or as a chartered accountant, a person must show that he is a Canadian citizen or lawfully admitted into Canada for permanent residence.

Measures: Certified General Accountants Act, R.S.A. 1980, c. C-3.6
Description: Cross Border Services and Investment
A person must be registered in order to carry on an "exclusive accounting practice" as defined in the Act. In order to be registered as a student or as a certified general accountant, a person must show that he is a Canadian citizen or lawfully admitted into Canada for permanent residence.

Measures: Certified Management Accountants Act, S.A. 1987, c. C-3.8
Description: Alberta Regulation #159/88
Cross Border Services
An applicant for registration as a student member must establish that he is a resident Albertan. Except for members of other Canadian management accountant societies, a person must complete a two year student program before being registered as a member of the Society.

Measures: Agricultural and Recreational Land Ownership Act, R.S.A. 1980, c. A-9
Description: Foreign Ownership of Land Regulation
Land Titles Act, R.S.A. 1980, c. L-5
Investment
Non-Canadian companies and individuals may not purchase more than two parcels, and in total, not more than 20 acres of non-urban land.

The Registrar of Land Titles shall refuse to register a transfer or transmission of any estate or interest in land, or to register any caveat, or to file a plan of subdivision if he believes it will be contrary to the regulations of the Agricultural and Recreational Land Ownership Act and section 33 (now 35) of the *Citizenship Act (Canada)*.

Measures: Public Lands Act, R.S.A. 1980, c. P-30
Description: Investment
The Minister shall not sell land to a person who is not a Canadian citizen or to a corporation that is not Canadian. Not less than 75% of equity shares must be Canadian owned in order for corporation to qualify as Canadian.

Measures: Public Lands Act, R.S.A. 1980, c. P-30
Public Lands Grazing Lease Regulation
Farm Development and Homestead Regulation
Forest Grazing License Regulation
Description: Investment
Only a Canadian citizen or a Canadian corporation may obtain:
a grazing lease on public lands, or
a lease or sale agreement for public lands, or
a forest grazing license.
A corporation is considered a "Canadian corporation" if a majority of its shares are owned by Canadian citizens.

Measures: Forest Reserves Act, R.S.A. 1980, c. F-15
Description: General Regulations (Alberta Regulation #604/75)
Investment
Grazing permits on public lands within forest reserves are restricted to Canadian citizens. Preference quotas are also given to Alberta residents.

Measures: Provincial Parks Act, R.S.A. 1980, c. P-22
Description: Disposition Regulations (Alta. Reg. # 241/77)
Investment

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Grazing dispositions within provincial parks will only be issued to a corporation if the majority of its shares are owned by Canadian citizens resident in Alberta.

Measures: **Policy**

Description: Investment

Applications for the disposition of public lands for residential, commercial or industrial purposes are accepted from individuals who are Canadian Citizens or from Corporations that have 75% or more Canadian ownership. Corporate applications for surface dispositions for resource extraction purposes are not required to have the minimum 75% Canadian ownership.

Measures: **Commercial Fishing Licensing Policy**

Description: Cross Border Services and Investment

Issuance of commercial fishing licenses is restricted to Alberta residents who also meet other criteria.

Measures: **Fish Marketing Act, R.S.A. 1980, c. F-12, Game Fish Farm Regulation**

Description: Cross Border Services and Investment

A non-resident shall not apply for or possess a Private Game Fish Farm Licence or a Commercial Game Fish Farm Licence.

Measures: **Wildlife Act, R.S.A. 1980, c. W-9.1**

Captive Wildlife Regulation,
Captive Wildlife (Ministerial) Regulation
General Wildlife Regulation
General Wildlife (Ministerial) Regulation

Description: Cross Border Services and Investment

Various permits and licenses under these regulations are restricted to Alberta resident individuals or corporations whose shareholders are Alberta residents:

- fur management licenses,
- guide and outfitter guide permits, and
- zoo, falconry, game-bird farm permits.

A “wildlife acquisition permit” is necessary for a non-Alberta resident to purchase wildlife for export from Alberta.