

## Chapter 4: Alberta

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### Alberta – Main Language Laws

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#### [Languages Act, R.S.A. 2000, c. L-6](#)

#### 1. Definitions

##### 1. In this Act,

“Act” means an Act of the Legislature;

“Assembly” means the Legislative Assembly of Alberta;

“Ordinance” means an Ordinance of the North-West Territories that is or was at any time in force in Alberta or that part of the North-West Territories that formed Alberta;

“regulation” means a regulation, order, bylaw or rule that is enacted under an Act or an Ordinance;

“Standing Orders” means the document of the Assembly entitled the “Standing Orders of the Legislative Assembly of Alberta”.

1988 c. L-7.5 s. 1

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#### 2. Validation of Acts and other matters

2. (1) All Acts, Ordinances and regulations enacted before July 6, 1988 are declared valid notwithstanding that they were enacted, printed and published in English only.

##### 2. (2) All

(a) actions, proceedings, transactions or other matters taken, done or arising by or under an Act, Ordinance or regulation validated under subsection (1) are declared not to be invalid,

(b) rights, obligations, duties, powers and other effects created, limited, revoked or otherwise dealt with by or under an Act, Ordinance or regulation validated under subsection (1) are declared not to have been invalidly created, limited, revoked or otherwise dealt with, and

(c) matters or things, in addition to those referred to in clauses (a) and (b), done by, in, in reliance on or under an Act, Ordinance or regulation validated under subsection (1) are declared not to have been invalidly done,

solely by reason of the fact that the Act, Ordinance or regulation was enacted, printed and published in English only.

1988 c. L-7.5 s2

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**ANNOTATIONS**

[R. v. Caron](#), 2014 ABCA 71 (CanLII)

[75] The Province of Alberta embraced the option identified by the Supreme Court. In 1988 it enacted, in both languages, the *Languages Act*, RSA 2000, c. L-6. Section 2 of the Languages Act validates all Alberta legislation, even though it was originally enacted only in English. Section 3 provides that henceforth legislation will be enacted in English. Section 4 continues the ability of any person to use English or French in oral communications in the courts.

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**SEE ALSO:**

[R. v. Caron](#), 2007 ABQB 262 (CanLII)

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3. Language of Acts and regulations

**3. All Acts and regulations may be enacted, printed and published in English.**

1988 c. L-7.5 s.3

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**ANNOTATIONS**

[R. v. Caron](#), 2009 ABQB 745 (CanLII)

[5] The respondents and the interveners argued that an issue in this appeal by the Crown is not only whether the legislation in question should have been published in English and French, but also whether there are language rights relating to judicial proceedings in Alberta. In my view, the subject of this appeal by the Crown is limited to determining whether the trial judge erred in concluding that the Alberta provincial Crown had a constitutional obligation to publish the relevant legislation in English and French. According to the trial judge, these were the rights that were infringed. The constitutional issue of the right to a trial in French in Alberta did not arise at trial. Accordingly, in this appeal, I will only be dealing with the issue of whether there is a right to access to legislation in both languages in Alberta.

[6] In this latter regard, it has already been established that the Province of Alberta was statutorily bound to publish legislation in English and French when it was created in 1905. However, this obligation was not respected. In 1988, the Province of Alberta enacted section 3 of the Languages Act, which provides that “[a]ll Acts and regulations may be enacted, printed and published in English”. Accordingly, all legislation in Alberta continued to be published in English only. Thus the main issue that arises in this appeal is whether Alberta’s legislation must also be published in French.

[...]

[107] Since the Province of Alberta was established, no legislation has ever been enacted or published in French except for the *Languages Act*.

[...]

[287] In my view, the Province of Alberta has the power to legislate or not to legislate on language rights in the Province, as it did with the *Languages Act* wherein English is permitted as the language of publication for provincial legislation. Accordingly, there is no obligation, constitutionally or otherwise presently, to publish the *Traffic Safety Act*, its regulations, or issue traffic tickets in French in Alberta. In my view, therefore, the language rights of the respondents Caron and Boutet have not been violated.

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SEE ALSO:

[R. v. Caron](#), [2011] 1 S.C.R. 78, 2011 SCC 5 (CanLII)

[R. v. Caron](#), 2010 ABCA 343 (CanLII)

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#### 4. Language in the courts

4. (1) Any person may use English or French in oral communication in proceedings before the following courts:

- (a) the Court of Appeal of Alberta;
- (b) the Court of Queen's Bench of Alberta;
- (c) repealed R.S.A. 2000 c. 16 (Supp.) s. 50;
- (d) The Provincial Court of Alberta.

4. (2) The Lieutenant Governor in Council may make regulations for the purpose of carrying this section into effect, or for any matters not fully or sufficiently provided for in this section or in the rules of those courts already in force.

R.S.A. 2000 c. L-6 s. 4; R.S.A. 2000 c. 16 (Supp.) s. 50

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#### ANNOTATIONS

[Blicharz v. Livingstone](#), 2016 ABCA 157 (CanLII)

#### F. Analysis

##### 1. Language

[17] The appellant argues that the trial judge breached her right to a fair hearing by failing to allow simultaneous translation from the English language into the Polish language. In support of this argument, she relies on various statutes including *Constitution Act, 1867*, s 133; *Charter of Rights and Freedoms*, ss 7, 11, 14; *Canadian Bill of Rights*, s 2(g); and *Languages Act*, RSA 2000, c L-6, s 4(1)(b).

[18] A trial judge has a discretion in civil cases to decide whether or not proceedings must be interpreted: Sopinka, Lederman & Bryant, *The Law of Evidence in Canada*, 4<sup>th</sup> ed (Markham, ON: Lexis Nexis, 2014) at para 16.43. The exercise of this discretion involves a balancing of the parties' rights to procedural fairness. The balancing exercise involves determining whether an interpreter is necessary to avoid a miscarriage of justice as well as making sure there is no misuse of interpretation services: *Anand v Anand* at paras 9, 13-14.

[19] In this case, the trial judge considered the interpretation issue both at the pre-trial conference and at the opening of the trial. He was satisfied after listening to the appellant advance her position on various pre-trial issues, and after being advised that the appellant had participated in lengthy pre-trial questioning without the aid of an interpreter, that simultaneous interpretation was not necessary.

[20] At the pre-trial conference, the trial judge suggested that the appellant bring an interpreter with her to the trial so that she could request interpretation when the need arose. The appellant

brought an interpreter of her choosing to the trial. A review of the trial record indicates that the appellant infrequently requested the interpreter's assistance and that the trial judge was careful to ensure that evidence was led in simple terms. Moreover, the trial judge assisted the appellant by leading some of the appellant's expert medical evidence. We are satisfied that the trial judge took appropriate steps to ensure that the appellant's right to a fair trial was protected. In these circumstances, we find no breach of procedural fairness in the trial judge's decision not to allow simultaneous interpretation.

**R. v. Pooran, 2011 ABPC 77 (CanLII)**

[18] The Applicants argue for the broad, purposive *Beaulac* interpretation of section 4.

[19] The Crown Respondent argues for a *Mercure/Société des Acadiens* interpretation of section 4 of the *Languages Act*, contrasting the detailed wording of the *Criminal Code* language rights provisions as a clear example of legislation that evokes a broader ambit of language rights.

[20] On June 22, 1988, the Attorney General of Alberta made a ministerial statement in the Legislative Assembly to introduce the *Languages Act* Bill; as well as the legislative history behind the Bill and a summary of the *Mercure* decision, the statement included these remarks:

Following the passage of the *Languages Act* a new standing order will be recommended which will provide that English and French may be used in the Assembly. The official publications of the Assembly will record matters in either English or French. Hansard will record in either English or French without translation. Members may use languages other than English and French in the Assembly subject to the approval of the Speaker. Prior written notice and an English translation of the remarks will be given to the Speaker, and the translation will be shown in the records. Mr. Speaker, the federal government has introduced an amendment to the *Criminal Code of Canada* which makes it mandatory for all provinces, including Alberta, to conduct criminal trials in either English or French by 1990. Alberta must, therefore, undertake further measures to comply with the federal requirements. Individuals will have the right, if they so choose, to a judge, jury, and prosecutor who speak either English or French, depending on the language of the accused. In addition, the accused and legal counsel may use either English or French, depending on the language of the accused. In addition, the accused and legal counsel may use either English or French in any proceedings relating to the preliminary inquiry or trial of the accused. [...]

With regard to civil courts every participant in court proceedings will be entitled to speak either English or French. If necessary, an interpreter will be provided. The court proceedings will be recorded in the language spoken. In the area of provincial offences, individuals will also be entitled to speak either English or French. Similarly, the court proceedings will be recorded in the language spoken. The development of a language policy for education is a high priority for the government of Alberta. The policy will . . . have four major components. One: we have fully recognized the unique rights of Francophones who qualify under section 23 of the *Charter of Rights and Freedoms* in the new *School Act*. The provision for the Lieutenant Governor in Council to establish regulations in this area reflects the importance that this government places on establishing appropriate policies and procedures for ensuring that the rights of Francophones are met. [Emphasis added.]

[21] If litigants are entitled to use either English or French in oral representations before the courts yet are not entitled to be understood except through an interpreter, their language rights are hollow indeed. Such a narrow interpretation of the right to use either English or French is illogical, akin to the sound of one hand clapping, and has been emphatically overruled by *Beaulac*.

[22] The Crown Respondent assertion that the rights in the *Languages Act* are met by the provision of an interpreter amounts to a sloughing of the language rights of the litigant to the *Charter* legal right to due process, natural justice and a fair trial. As to the reference in the

June 22, 1988, ministerial statement, to the provision of an interpreter if necessary, I infer from those words that the interpreter is to be provided for witnesses who do not speak the language, English or French, in which the trial is being conducted.

[23] It is clear from the ministerial statement that in three significant arenas of interaction between individuals and the province, the Legislative Assembly, courts and schools, the languages that may be used are English and French.

### Conclusion

[24] Therefore, for the following reasons, I have concluded that the Applicants are entitled to have their *Traffic Safety Act* trials in French, with a French-speaking judge and French-speaking prosecutor:

Language rights are to be given a liberal and purposive interpretation; (*Beaulac*)

Language rights are distinct from legal rights; (*Beaulac*)

Alberta recognizes the unique rights of Francophones; (ministerial statement, June 22, 1988, Alberta Hansard)

The languages of the courts in Alberta are English and French; (section 4(1), Languages Act)

and, the language rights enunciated in section 4 of the *Languages Act* are not eroded by the failure of the provincial government to enact regulations to hone their delivery.

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### SEE ALSO:

[Caron v. Alberta \(Human Rights and Citizenship Commission\)](#), 2007 ABQB 525 (CanLII)

[Caron v. Alberta \(Human Rights and Citizenship Commission\)](#), 2007 ABQB 200 (CanLII)

[deHaan v. Garcia](#), 2004 ABQB 74 (CanLII)

[Dubé v. Dubé](#), 2002 ABQB 1006 (CanLII)

*R. v. Desgagne*, [1997] A.J. No. 1307 (AB PC) [hyperlink not available]

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## 5. Language in the Assembly

**5. (1) Members of the Assembly may use English and French in the Assembly.**

**5. (2) The Standing Orders and the records and journals of the Assembly, within the meaning of section 110 of *The North-West Territories Act (Canada)* as it applied to Alberta, made before July 6, 1988 are declared valid notwithstanding that they were made, printed and published in English only.**

**5. (3) The Standing Orders and records and journals of the Assembly may be made, printed and published in English.**

**5. (4) The Assembly may, by resolution, direct that all or part of the Standing Orders or the records and journals of the Assembly shall be made, printed and published in English or French or both.**

1988 c. L-7.5 s. 5

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6. Effect of validation

**6. The declaration of validity of Acts, Ordinances, regulations and the Standing Orders under this Act does not revive any Act, Ordinance, regulation and Standing Order that has been repealed, substituted or superseded or that has otherwise ceased to be in force on or before July 6, 1988.**

1988 c. L-7.5 s. 6

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7. Non-application

**7. Section 110 of *The North-West Territories Act (Canada)*, RSC 1886 c50, as it existed on September 1, 1905, does not apply to Alberta with respect to matters within the legislative authority of Alberta.**

1988 c. L-7.5 s. 7

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8. English and French versions

**8. The English version and the French version of this Act are equally authoritative.**

1988 c. L-7.5 s. 8

**[Languages in the Courts Regulation – Languages Act, A.R. 158/2013](#)**

1. Definitions

1. In this Regulation,

(a) “Crown” means the Crown in right of Alberta;

(b) “defendant” means a person who is charged with or convicted of an offence under an enactment;

(c) “enactment” has the meaning given to it in the *Provincial Offences Procedure Act*;

(d) “judge” means,

(i) in relation to a proceeding before the Court of Appeal of Alberta, a judge of that court or, if more than one judge is hearing the proceeding, the judges,

(ii) in relation to a proceeding before the Court of Queen’s Bench of Alberta, a judge of that court, and

(iii) in relation to a proceeding before the Provincial Court of Alberta,

(A) a judge as defined in the *Provincial Court Act*, or

(B) a person appointed under the *Justice of the Peace Act* as a justice of the peace;

(e) “proceeding” means a proceeding before

(i) the Court of Appeal of Alberta,

(ii) the Court of Queen’s Bench of Alberta, or

(iii) the Provincial Court of Alberta

to which the Provincial Offences Procedure Act applies.

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## 2. Where defendant wishes to use French

**2. (1) Where a defendant wishes to use French, or wishes to have the defendant’s counsel use French, in oral communications in a proceeding, the defendant shall give reasonable notice of that fact to the prosecutor and to the court in which the proceeding is to be heard.**

**2. (2) Where a defendant gives notice in accordance with subsection (1), the Crown shall arrange for an interpreter for the proceeding.**

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## 3. Holding proceeding in French

**3. (1) A judge may, at the request of a defendant and with the consent of the prosecutor, conduct a proceeding in French.**

**3. (2) Where, under subsection (1), a proceeding is conducted in French,**

**(a) the prosecutor shall arrange and pay for translation into French of any written evidence adduced in English by the prosecutor in the proceeding, and**

**(b) the defendant shall arrange and pay for translation into French of any written evidence adduced in English by or on behalf of the defendant in the proceeding**

**unless the parties agree on other arrangements to pay for translation.**

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## 4. Holding proceeding in English and French

**4. (1) A judge may, at the request of a defendant and with the consent of the prosecutor, conduct a proceeding in both English and French.**

4. (2) If the parties are unable to agree respecting the circumstances in which, and the extent to which, the parties may use each language in a proceeding referred to in subsection (1), the judge may

(a) at the request of the parties, provide further directions for conducting the proceeding in both English and French, or

(b) direct the Crown to arrange for an interpreter for the proceeding as if the defendant had given notice in accordance with section 2(1).

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## 5. Transcripts

5. Any transcript of a proceeding to which this Regulation applies must include everything said in English or French during the proceeding in the language in which it was said.

## Alberta – Federal Laws

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### [North-West Territories Act, R.S.C. 1886, c. 50 \(Repealed\)](#)

110. Either the English or the French language may be used by any person in the debates of the Legislative Assembly of the Territories and in the proceedings before the courts; and both those languages shall be used in the records and journals of such Assembly; and all ordinances made under this Act shall be printed in both those languages: Provided, however, that after the next general election of the Legislative Assembly, such Assembly may, by ordinance or otherwise, regulate its proceedings, and the manner of recording and publishing the same; and the regulations so made shall be embodied in a proclamation which shall be forthwith made and published by the Lieutenant Governor in conformity with the law, and thereafter shall have full force and effect.

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### ANNOTATIONS

#### [R. v. Paquette](#), [1990] 2 S.C.R. 1103, 1990 CanLII 37 (SCC)

Since the Attorney General of Canada shares the appellant's view and the Attorney General for Alberta does not dispute it, we are of the view that the constitutional question should be answered as follows:

Question: Is s. 110 of *The North-West Territories Act*, R.S.C. 1886, c. 50, as amended by S.C. 1891, c. 22, s. 18, in force in Alberta in relation to proceedings commenced under federal legislation which are criminal in nature or which involve penal consequences?

Answer: Yes.

The real issue that arises in this appeal is stated by the appellant in his factum as follows: does [TRANSLATION] "s. 110, in the context of a criminal proceeding, require that the court, either the judge or the judge and jury, understand the accused in his official language without the assistance of an interpreter or of simultaneous translation and require that the judge and the Crown attorney address the court in the accused's official language at all stages in a criminal prosecution"?

We are all of the view that *R. v. Mercure*, [1988] 1 S.C.R. 234, a recent decision of our Court, disposes of this question.



The appeal is accordingly dismissed.

**R. v. Mercure, [1988] 1 S.C.R. 234, 1988 CanLII 107 (SCC)**

[pp. 251-252] There appears to be a suggestion in the factums of the respondent and the Attorney General for Alberta that s. 110 was in some way inextricably linked with the language guarantees in s. 133 of the *Constitution Act, 1867*. I am unable to fully understand the basis of this argument. If section 133 applied, it would apply *proprio vigore*. If the courts of the North-West Territories are courts for the better administration of the laws of Canada under s. 101 of the *Constitution Act, 1867*, then s. 133 applies to them without more. If it does not apply to these courts, there is no requirement in s. 133 for Parliament to enact a provision like s. 110. I have combed the appropriate pages of Hansard and have found nothing that would lead to the view that s. 110 was enacted to give effect to s. 133, although some years later Laurier stated that one of the reasons s. 110 was not repealed in 1890 was that s. 133 guaranteed similar rights in relation to the courts; see *Debates of the House of Commons*, 1905, at p. 8579. Indeed, the impression one gets is that at the time s. 110 was enacted, s. 133 was thought to have no application for, as we saw, Mr. Mills who made the motion in the House concurring in the Senate amendment, stated that he regretted that the amendment had been made because they (the Government) had thought that this was a matter which was better left to the Territorial Council. However that may be, s. 110 was separately enacted by Parliament and continued in its own right.

[...]

[p. 253] Some have suggested that there is a specific connection between s. 110 and the demands of the settlers at the time of the transfer of the Territories to Canada. Thus during the debates preceding the Saskatchewan Act, Mr. Monk (*Debates of the House of Commons*, 1905, at pp. 8530 *et seq.*) stated that s. 110, like s. 23 of the *Manitoba Act, 1870*, was made in response to the demands made by the people in the Territories, but others have contested it (*id.*, at p. 8548 (Lemieux)). The justifications given by its sponsor, Senator Girard, to the effect that this was desirable on the grounds of justice because there were as many French as English people in the Territories must have been seen as reason enough at the time. It is right to say, however, that this consideration could not have been completely foreign to those to whom it applied, for it would appear that many of the French speaking Manitobans who had made the list of demands before Manitoba was created had moved to that portion of the Territories that is now Saskatchewan and Alberta (see Belzil J.A., dissenting, in *R. v. Lefebvre*, *supra*, at p. 137, dealing with the parallel situation in Alberta; Silver, *op. cit.*, at p. 132, states that French settlement from outside the Prairies after Confederation was not extensive; see also Wade, *op. cit.*, at p. 405).

[pp. 253-254] The 1877 amendment was re-enacted in 1880 as s. 94 of *The North-West Territories Act, 1880*, S.C. 1880, c. 25, and became s. 110 of c. 50 of the *Revised Statutes of Canada* of 1886. The law, however, remained substantially as it was before. In early 1890, however, a Bill was introduced by Mr. Dalton McCarthy for the removal of the provisions regarding the French language; see *Debates of the House of Commons*, 1890, esp. at pp. 756 (Cockburn) and 857 (McCarthy). As counsel for the Attorney General for Alberta noted, this Bill was viewed by its sponsor as simply the first step in a process the ultimate goal of which was the elimination of the French language throughout the country, a process which incidentally included the attempted abolition by Manitoba of the language guarantees in s. 23 of the *Manitoba Act, 1870*. For a variety of reasons, however, the Government refused to accept the whole of Mr. McCarthy's proposal, but it did agree to the addition of a proviso empowering the Legislative Assembly to regulate its proceedings and the manner in which these proceedings should be recorded and published. Section 110 thus took the form above quoted; see S.C. 1891, c. 22, s. 18. Pursuant to this proviso, the Territorial Assembly appears to have passed a resolution in 1892 providing that its proceedings should be in English only, but there is doubt whether that resolution was valid because the proper procedural steps were not followed; see Sheppard, *op. cit.*, at p. 85. It is irrelevant for the purposes of this appeal to look further into the matter, however, because the proviso does not relate to the statutes nor to proceedings in court.

[pp. 254-255] Reference may also be made to the fact that in 1886, *The North-West Territories Act* was amended (S.C. 1886, c. 25, s. 3) to provide for the reception of English law in the Territories as of 1870. Absent other legislation, this would have had the effect of incorporating in territorial law a British statute of 1731 (4 Geo. 2, c. 26) which provided that all proceedings in the courts of England and Scotland shall be in the English tongue only, but this, of course, could not take place in the face of the express provision in s. 110, so this statute never became part of the law of the North-West Territories and in consequence never became part of the law of Saskatchewan. The proposition that English statutes which were repealed, or never came into effect in the Territories, somehow revived in Saskatchewan or Alberta has been repeatedly rejected by the courts; see *Toll v. Canadian Pacific Railway Co.* (1908), 8 W.L.R. 795 (Alta. C.A.); *Schultz v. Wolske* (1966), 75 W.W.R. 411 (Alta. S.C.); *Stevens v. Quinney* (1979), 101 D.L.R. (3d) 289 (Sask. Q.B.). [...]

[pp. 257-258] Section 110 was a law at the establishment of the province and, therefore, barring other considerations, it continued in operation in the province. Is there anything in the Act, then, that is either inconsistent with or intended as a substitute for s. 110? [...]

[p. 262] The proper approach, it seems to me, would have been to interpret the statute broadly to effect the obvious and sensible purpose of Parliament to continue existing laws until the new legislature could turn its mind to them. [...]

[p. 264] It will be obvious that I do not accept that s. 110 was somehow intended as a purely transitional measure. [...]

[p. 265] All there is left, then, to establish an inference that English is the language of the courts is that certain rules of court and court forms were written on the assumption that the judicial system would operate in English. [...] Apart altogether from this, can it be supposed that a rule of law so deeply rooted in the history of this country could be swept away by a side wind like the preparation of court forms and the like? How could a statute, particularly one so fundamental as this, be repealed in this fashion? This is very far, indeed, from the stringent tests that have been established to warrant a holding that a statute has been impliedly repealed.

[...]

[p. 268] If human rights legislation can be said to be fundamental or almost constitutional, it is at least equally true of the legislation at issue here; for many years it was entrenched, so far as the inhabitants of the area to which it applied were concerned, since it could only be removed by Parliament, not the local legislature, something, it will be remembered, Parliament had refused to do. It formed part of the basic law of a vast area of this country from the earliest days of the founding of the nation and is rooted in a deeply sensitive reality recognized in the *Canadian Charter of Rights and Freedoms*, which, among our fundamental constitutional values, sets forth that English and French are the official languages of this country (s. 16(1)).

[p. 268] It can hardly be gainsaid that language is profoundly anchored in the human condition. Not surprisingly, language rights are a well-known species of human rights and should be approached accordingly; see *International Covenant on Civil and Political Rights*, G.A. Res. 2200A (XXI), 21 U.N. GAOR, Supp. (No. 16) 52, U.N. Doc. A/6316 (1966), art. 27; M. Tabory, "Language Rights as Human Rights" (1980), 10 *Israel Y.B. on Human Rights* 167. A majority of this Court in *Société des Acadiens*, *supra*, at p. 578, clearly expressed the view that "language rights belong to the category of fundamental rights" (per Beetz J.), a view the Court had earlier expressed in *Reference re Manitoba Language Rights*, *supra*, in the following passage at p. 744:

The importance of language rights is grounded in the essential role that language plays in human existence, development and dignity. It is through language that we are able to form concepts; to structure and order the world around us. Language bridges the gap between

isolation and community, allowing humans to delineate the rights and duties they hold in respect of one another, and thus to live in society.

[p. 268] The Court in the latter case went on at pp. 744-45 to underline the judiciary's responsibility to protect the language rights given under s. 23 of the *Manitoba Act, 1870* and to ensure that the government complies with the Constitution. I also note the Court's observation that, given the similarity of that provision to s. 133 of the *Constitution Act, 1867*, the range of application of these provisions should be parallel (pp. 743-44). Whatever power the legislature may have to alter the provision, the similarity of language and history of s. 110 would seem to call for the same approach.

[p. 268] I realize, of course, that, as in the case of other human rights, governmental measures for the protection of language rights must be tailored to respond to practical exigencies as well as to the nature and history of the country. But when Parliament or the legislature has provided such measures, it behooves the courts to respect them. Any inroads on them should be left to the legislative branch. This is particularly so of rights regarding the English and French languages, which are basic to the continued viability of the nation. As Dickson C.J. put it in *Société des Acadiens, supra*, at p. 564:

Linguistic duality has been a longstanding concern in our nation. Canada is a country with both French and English solidly embedded in its history. The constitutional language protections reflect continued and renewed efforts in the direction of bilingualism. In my view, we must take special care to be faithful to the spirit and purpose of the guarantee of language rights enshrined in the *Charter*.

[pp. 269-270] While the Chief Justice's remarks were specifically addressed to *Charter* protection, this comment is clearly relevant here. So too are his remarks relating to s. 16 of the *Charter* which makes English and French the official languages of Canada. He stated, at p. 565:

Despite academic debate about the precise significance of s. 16, at the very least it provides a strong indicator of the purpose of the language guarantees in the *Charter*. By adopting the special constitutional language protections in the *Charter*, the federal government of Canada and New Brunswick have demonstrated their commitment to official bilingualism within their respective jurisdictions.

While Dickson C.J. was there speaking for himself, the majority judgment of Beetz J. also recognized that s. 16 contained "a principle of advancement or progress in the equality of status or use of the two official languages" (p. 579). Beetz J. differed with the Chief Justice in that for him it was the legislative, rather than the judicial process that was particularly suited to advance the principle. But section 110 is a legislative initiative consistent with that principle and, like other language guarantees, it must, as already mentioned, be respected by the courts.

[pp. 270-271] The appellant took the position that s. 110 can only be repealed by virtue of an amendment to the Constitution of Canada made under s. 43 of the *Constitution Act, 1982*, i.e., by resolutions of the Parliament of Canada and of the legislature of the province to which the amendment applies. [...] Not only is the province empowered to legislate respecting procedure in the courts under s. 92(14) of the *Constitution Act, 1867*; it is also given power under s. 45 of the *Constitution Act, 1982* to amend the constitution of the province. But that is not all. Parliament knew full well how to entrench a provision if it wished to do so, namely, by expressly providing for language rights in the Saskatchewan Act as it did in the case of s. 23 of the *Manitoba Act, 1870*. Such provisions, in common with s. 133 of the *Constitution Act, 1867*, are constitutionally protected and do not fall within the province's legislative capacity to amend its constitution or otherwise; see *Attorney General of Quebec v. Blaikie, supra*, at pp. 1023-25.

[p. 272] The appellant argues, however, that this approach has no application to s. 110 so far as the languages of the courts are concerned. He notes, first of all, that while these other provisions

provide that either the English or French language may be used by any person "in any Pleading or Process in or issuing from" any of the applicable courts, s. 110 provides that a person may use either of these languages "in the proceedings before the courts" (emphasis added). In his view, therefore, s. 110 is limited to procedures that take place before the courts. This, he continues, arose out of an historical context different from the political compromise that took place in 1867. He draws attention to the considerable bilingual capacity among the judges in the Territories when these Territories were transferred to Canada. The same system was maintained, the appellant argues, after such transfer.

[p. 273] I am unable to attach the same significance as the appellant to this difference in phraseology. Permitting the use of a language in proceedings before the courts is just as easily capable of meaning that it may be used in the course of those proceedings, whether in pleadings before the court, or in written pleadings, or in issuing process. The provision was obviously modelled on s. 133 and though, like other provisions similarly modelled, it differs in form, one would naturally assume it to be aimed at achieving the same purpose. One cannot expect specific forms or particular words to be followed religiously. This is particularly so of a provision like this one, which was not originally introduced as a government measure. It is interesting that the proposer of the Bill, who appears to have confined his remarks to the legislative aspects, observed that "the majority of the people of the territories were French, and they had as much right to have their language acknowledged there as they had in Quebec and Manitoba ..." *Debates of the Senate*, 1877, at p. 319. I conclude, therefore, that the language rights accorded by s. 110 are substantially the same as those accorded under these other provisions.

**Alberta v. Lefebvre, 1986 ABCA 236 (CanLII)**

[18] Section 110 of the *Northwest Territories Act* was not part of the Northwest Territories' constitution and as such was not a constitutional enactment: That is, it did not have the same effect as Section 133 of *The Constitution Act, 1867* where French language rights are protected in the specific and limited manner set out therein, or section 23 of the *Manitoba Act*. [...]

[...]

[21] Section 110 of the *Northwest Territories Act* dealt with French language rights "in proceedings before the courts" of the Territories. These were courts of Canada, and prior to the carving out of the Province of Manitoba, Saskatchewan and Alberta, the power to legislate for the administration of justice in the Territories was in the Parliament of Canada. Hence Section 110 may have been unnecessary in view of Section 133 of *The Constitution Act, 1867* under which French language rights in courts of Canada were afforded protection.

[22] Section 16 of the *Alberta Act* in continuing all courts and laws in force in the Territories as if this Act had not been passed, in effect continued the jurisdiction of those courts during the transitional period, that is until repealed, abolished or altered by the Legislature. It also continued in force laws in relation thereto such as the language rights set out in Section 110.

[23] It follows from the above that Section 110 was not imposed upon Courts which the Province might create, but rather applied to the Courts of Canada whose jurisdiction was transitionally extended to Alberta after it was carved out of the North-West Territories in 1905. Even during the transitional period the Courts of Canada were not Alberta Courts. After 1905 the Supreme Court of the Northwest Territories continued as a Court of the Northwest Territories and its jurisdiction was transitionally extended to the Province of Alberta.

[24] It remains to be decided whether section 110 continues in force at the present time.

[25] The provisions of the Alberta Act and in particular section 16 did not make the courts of the North-West Territories courts of Alberta. What it did was to provide that they shall "continue in the said province as if this Act . . . had not been passed". The same may be said with respect to s. 110 which provided that "either English or the French language may be used by any person ... in

proceedings before the Courts". The courts there referred to were courts created by the Parliament of Canada whose lives were continued by s. 16.

[26] As language rights in the courts is a matter of procedure, it is clear that when the life of the courts of the Northwest Territories were continued in the province during the transitional period, the language rights set out in s. 110 were continued as a matter of procedure in those courts. Section 110 continued to apply to the courts of the Northwest Territories " as if this Act... [*The Alberta Act of 1905*]...had not been passed.

[27] The life of s. 110 depended upon the continuance of the courts of the Northwest Territories. When the transition period in relation to the courts of the Northwest Territories came to an end with the enactments by the province setting up its own courts section 110 ceased to have any application in the Province.

[28] With the passing of the Acts setting up "the Alberta Courts", the Province occupied its field of power in relation to courts and all purposes affecting or extending them the transitional period came to an end. Section 110 was not enacted for the purpose of extending language rights into the Alberta Courts after the courts of the Northwest Territories ceased to have any jurisdiction in the province upon being superceded [sic] by the Supreme Court of Alberta.

[...]

[30] The "Alberta Courts" contained no provisions dealing with language rights. The only language rights which then existed were those that made English the language of the Courts.

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**SEE ALSO:]**

**Alberta v. Lefebvre, 1993 CarswellAlta 286 (AB CA) [hyperlink not available]**

## **Alberta – Other Language Laws**

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### **[Agrology Profession Act, S.A. 2005, c. A-13.5](#)**

#### 22. Application for registration

**22. (1) An application for registration as a regulated member is complete for the purpose of consideration under section 23(3) if it is in the required form and given to the registrar by the applicant along with**

[...]

**(f) evidence of meeting standards of language proficiency, if required by the regulations, and**

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#### 103. Council regulations

**103. (1) The council may make regulations**

**(a) respecting requirements for and applications for registration and practice permits, including but not restricted to**

[...]

(vii) providing evidence respecting meeting standards of language proficiency;

**Agrology Profession Regulation – Agrology Profession Act, Alta. Reg. 71/2007**

33. Application information

33. (1) The registrar may require applicants for registration and regulated members applying for practice permits to provide the following information:

(a) demographic and agrology practice information about the applicant, including

[...]

(vii) languages in which the applicant provides professional services;

**Business Corporations Act, R.S.A. 2000, c. B-9**

10. Corporate name

10. (1) Subject to section 15.4(1), the word “Limited”, “Limitée”, “Incorporated”, “Incorporée” or “Corporation” or the abbreviation “Ltd.”, “Ltée”, “Inc.” or “Corp.” shall be the last word of the name of every corporation, and a corporation may use and may be legally designated by either the full or the abbreviated form.

[...]

10. (3) Subject to section 15.4(2), no person other than a body corporate shall carry on business within Alberta under any name or title that contains the word “Limited”, “Limitée”, “Incorporated”, “Incorporée” or “Corporation” or the abbreviation “Ltd.”, “Ltée”, “Inc.” or “Corp.” or the words “Professional Corporation”.

[...]

10. (6) Subject to section 12(1), the name of the corporation or an additional form of its name in a notice filed under subsection (5) may be in an English form or a French form or in a combined English and French form and the corporation may use and may be legally designated by any of those forms.

---

280. Application for registration

280. (1) An extra-provincial corporation shall apply for registration by sending to the Registrar a statement in the prescribed form.

280. (2) The statement shall be accompanied with

(a) a copy of the charter of the extra-provincial corporation verified in a manner satisfactory to the Registrar,

(b) documents relating to corporate names that are prescribed by the regulations, and

(c) the appointment of its attorney for service, in the prescribed form.

280. (3) If all or any part of the charter is not in the English language, the Registrar may require the submission to the Registrar of a translation of the charter or that part of the charter, verified in a manner satisfactory to the Registrar, before the Registrar registers the extra-provincial corporation.

**Business Corporations Regulation – Business Corporations, Alta. Reg. 118/2000**

11. Permitted characters in name

11. (1) The name of a corporation and extra-provincial corporation registered in Alberta may contain only the following:

(a) letters of the alphabet of the English language;

(b) arabic numerals;

(c) the following punctuation or other marks: [...]

(d) any combination of letters, numerals and marks referred to in clauses (a), (b) and (c).

11. (2) The first character of the name of a corporation or of an extra-provincial corporation registered in Alberta must be an arabic numeral or an alphabetic letter of the English language.

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17. Name search reports

17. (3) Where a proposed name is in

(a) an English form and a French form, or

(b) a combined English and French form,

and the English and French forms of the names are phonetically dissimilar, a separate printed Alberta Search Report under subsection (1) must be obtained for the English form and the French form of the name.

**Companies Act, R.S.A. 2000, c. C-21**

162. Annual Report

162. (3) Except when the company is a private company, the annual return shall include a written copy, certified by a director or the manager or secretary of the company to be a true copy, of the last balance sheet that has been audited by the company's auditors,

including every document required by law to be annexed thereto, together with a copy of the report of the auditors thereon, certified as aforesaid, and if a balance sheet is not in English, there shall also be annexed to it a translation thereof in English, certified in the prescribed manner to be a correct translation.

### Cooperatives Act, S.A. 2001, c. C-28.1

#### 16. Names of cooperatives

**16. (2) Subject to section 19, the name of a cooperative may be in an English form or a French form or in a combined English and French form, and the cooperative may use and be legally designated by any of those forms.**

### Cooperatives Regulation – Cooperatives Act, Alta Reg. 55/2002

#### 10. Permitted Characters

**10. (1) The name of a cooperative or an extra-provincial cooperative registered in Alberta may contain only the following:**

- (a) Letters of the alphabet of the English language;**
- (b) Arabic numerals;**
- (c) the following punctuation or other marks**

[...]

**any combination of letters, numerals and marks referred to in clauses (a), (b) and (c).**

**10. (2) The first character of the name of a cooperative or of an extra-provincial cooperative registered in Alberta must be an Arabic numeral or an alphabetic letter of the English language.**

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#### 12. Objectionable names

**12. (1) No cooperative or extra-provincial cooperative registered in Alberta may have a name that contains a word or expression in any language that is obscene or connotes a business that is scandalous, obscene or immoral or that is otherwise objectionable on public grounds.**

**12. (2) No cooperative may have a name that contains a word or expression that might lead to the inference that the cooperative is not a cooperative to which the Act applies.**



[Credit Union Act, R.S.A. 2000, c. C-32](#)

231. Ministerial Regulations

**231. The Minister may make regulations**

(a) respecting the execution, certification, proof, authentication and alteration of documents relating to this Act or any of their contents, the issue of and the correction of errors in certificates, the registration system and process and other matters relating to the administration of this Act;

[Credit Union \(Ministerial\) Regulation – Credit Union Act, Alta. Reg. 250/1989](#)

6. Essential components of name

**6. (1) The name of a credit union must not contain anything other than**

- (a) letters of the alphabet in the English or French language,
- (b) arabic numerals, and

punctuation marks, symbols or other marks in common usage in the English or French language.

[Education Act, S.A. 2012, c. E-0.3](#)

N.B. – This Act has not come into force.

Preamble

[...]

**WHEREAS** the Government of Alberta believes in and is committed to one publicly funded education system that provides a choice of educational opportunities to students and that honours the rights guaranteed under the Constitution of Canada in respect of minority language and minority denominational education through the dimensions of public, separate and Francophone schools;

---

1. Interpretation

**1. (1) In this Act,**

[...]

(i) “Francophone” means an individual who has rights under section 23 of the *Canadian Charter of Rights and Freedoms*;

(j) “Francophone education program” means an education program offered by a Francophone regional authority that is intended for the children of Francophones, but does not include an alternative program established under section 19;

(k) “Francophone education region” means a Francophone education region established under section 126;

(l) “Francophone regional authority” means a composite Francophone regional authority established under section 129 or a public Francophone regional authority or separate Francophone regional authority established under section 131;

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## Part 1 – Access to Education

### 14. Francophone education

14. (1) If an individual has rights under section 23 of the *Canadian Charter of Rights and Freedoms* to have the individual’s children receive school instruction in French, the individual’s children are entitled to receive that instruction in accordance with those rights wherever in Alberta those rights apply.

14. (2) The Minister may make regulations

(a) respecting the education generally of students whose parents are Francophones, and

(b) notwithstanding any other provision of this Act, respecting any matter required to give effect to subsection (1).

14. (3) A student who is enrolled in a school operated by a Francophone regional authority is entitled to receive school instruction in French.

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### 15. Enrolment in Francophone school

15. (1) If a student’s parent is a Francophone who requests that the student be enrolled in a school operated by a Francophone regional authority and the student resides in the Francophone education region within the distance from the school, as determined by the Francophone regional authority, the student is entitled to attend that school, and the Francophone regional authority shall

(a) enrol the student in that school, and

(b) ensure that the student is provided with an education program consistent with the requirements of this Act and the regulations that will give the student the opportunity to meet the standards of education set by the Minister.

15. (2) If a student’s parent is a Francophone who requests that the student be enrolled in a school operated by a Francophone regional authority and the student does not reside in the Francophone education region within the distance from the school, as determined by the Francophone regional authority, the Francophone regional authority

(a) may enrol the student in that school under the terms set by the Francophone regional authority, and

(b) if the student is enrolled under clause (a), shall ensure that the student is provided with an education program consistent with the requirements of this Act and the regulations that will give the student the opportunity to meet the standards of education set by the Minister.

15. (3) If a student is the child of a Francophone and is enrolled in a school operated by a Francophone regional authority, the student continues to be a resident student of a board of a school division or, if section 4(6) applies to the student, of the Government, but section 11(1) does not apply to that board or the Minister, as the case may be, with respect to that student while the student is enrolled in a school operated by a Francophone regional authority.

15. (4) Notwithstanding subsections (1) and (2), a Francophone regional authority that is requested to enrol a student in a senior high school program beyond a 3rd school year may direct the student to attend a school designated by the Francophone regional authority.

15. (5) A Francophone regional authority shall enrol a resident student of the Government in a school operated by the Francophone regional authority as requested by the Minister.

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## 17. Language of instruction

17. (1) Every student is entitled to receive instruction in English.

17. (2) Notwithstanding subsection (1), a board may authorize the use of French or any other language as a language of instruction.

17. (3) The Minister may make regulations governing the provision of instruction in any language authorized under subsection (2).

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## Part 2 – Opportunities for Learning

### Division 1 – Diverse and Flexible Learning

#### 19. Alternative programs

19. (1) In this section, “alternative program” means an education program offered by a board that

(a) emphasizes a particular language, culture, religion or subject-matter, or

(b) uses a particular teaching philosophy,

but that is not a religious education program offered by a separate school board of that religious denomination, a Francophone education program or specialized supports and services under section 11.

19. (2) A board may offer an alternative program to a student whose parent requests it where, in the opinion of the board,

(a) the board has sufficient resources and facilities to offer the alternative program, and

(b) the alternative program is appropriate to meet the student's education needs.

19. (3) A board may offer an alternative program under subsection (2) that operates within the geographic boundaries of another board only if the other board has been requested to offer the alternative program and has refused.

19. (4) A board that offers an alternative program shall continue to offer an education program consistent with the requirements of this Act and the regulations to those students not enrolled in the alternative program.

19. (5) If a parent enrolls a student in an alternative program, the board may charge that parent fees related to the alternative program only for the purpose of defraying all or a portion of any non-instructional costs that

(a) may be incurred by the board in offering the alternative program,

(b) are necessary for the delivery of the alternative program, and

(c) are in addition to the costs incurred by the board in providing education programs other than the alternative program.

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## **Division 5 – Establishment and Dissolution of Francophone Education Regions**

### 124. Definitions

124. In this Division,

(a) “public school” means a school designated as a public school by a Francophone regional authority under section 130;

(b) “public school elector” means an individual described in section 135(1) other than a separate school elector;

(c) “public school trustee” means an individual who is appointed or elected as a public school trustee of a Francophone regional authority;

(d) “separate school” means a school designated as a separate school by a Francophone regional authority under section 130;

(e) “separate school elector” means an individual described in section 135 who declares that the individual is of the same faith, whether Protestant or Roman Catholic, as the minority of all individuals living within the boundaries of a Francophone education region as determined by the Minister under section 128;

(f) “separate school trustee” means an individual who is appointed or elected as a separate school trustee of a Francophone regional authority.

125. Application

**125. (1) The following provisions and any regulations made under them apply to a Francophone regional authority and a reference in those provisions or those regulations to a board or a trustee is deemed to include a reference to the Francophone regional authority or a trustee of a Francophone regional authority, as the case may be:**

- (a) sections 1 and 2;**
- (b) Part 1, except sections 4, 10 and 11(1);**
- (c) Part 2, except sections 29 and 30;**
- (d) Part 3;**
- (e) Part 4, except sections 74 and 77;**
- (f) Part 5, Division 4;**
- (g) in Part 6, Division 1, section 171, Division 7 and Division 8 except section 192(3);**
- (h) Part 7;**
- (i) Part 8.**

**125. (2) Sections 114, 116 to 122 and the provisions of Division 4 of Part 5 and any regulations made under them apply to a Francophone education region, and a reference in those provisions or those regulations to a school division is deemed to include a reference to a Francophone education region.**

**125. (3) If a provision of this Act applies to a Francophone regional authority, a reference to an elector in the provision is deemed to be a reference to an individual referred to in section 135.**

**125. (4) If in any other Act a reference is made**

- (a) to a school division, the reference is deemed to include a Francophone education region, or**
- (b) to a board of a school division or the trustees of a board of a school division, the reference is deemed to include a Francophone regional authority or the trustees of a Francophone regional authority, as the case may be.**

**125. (5) Subsection (4) does not apply to a reference in the following Acts:**

- (a) *Condominium Property Act*;**
- (b) *Drainage Districts Act*;**
- (c) *Health Insurance Premiums Act*;**
- (d) *Northland School Division Act*;**
- (e) *Parks Towns Act*.**

**125. (6) Notwithstanding subsections (1), (2) and (4), the Minister may exempt a Francophone regional authority or a Francophone education region from the application of a provision of this or any other Act.**

2012 c. E-0.3 s. 125; 2015 c. 6 s. 24.

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126. Establishment of Francophone education region

**126. (1) The Minister may, by order, establish any portion of Alberta as a Francophone education region.**

**126. (2) The order establishing a Francophone education region must describe the boundaries of the region and give it a name in the following form:**

The \_\_\_\_\_ Francophone Education Region.

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127. Effect of establishment

**127. The establishment of a Francophone education region does not affect a public school division or a separate school division established in respect of all or part of the portion of Alberta in which the Francophone education region is established.**

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128. Minority in Francophone education region

**128. For the purposes of this Division, the Minister may by order determine for each Francophone education region, on evidence satisfactory to the Minister, whether the Protestant or Roman Catholic faith is the faith of the minority of all individuals living within the boundaries of the Francophone education region.**

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129. Composite Francophone regional authority

**129. (1) For each Francophone education region, the Minister shall by order establish a composite Francophone regional authority, and the trustees of the composite Francophone regional authority are a corporation under the name of:**

The Francophone Regional Authority of \_\_\_\_\_ Francophone Education Region.

**129. (2) A composite Francophone regional authority must be composed of at least 3 trustees.**

**129. (3) Subject to subsection (4), the number of public school trustees of a composite Francophone regional authority must, if practicable, be in the same proportion to the total number of trustees of the composite Francophone regional authority as the total number of public school electors in the Francophone education region is to the combined total number of public school electors and separate school electors in the Francophone education region.**

**129. (4) A composite Francophone regional authority must have at least one public school trustee and at least one separate school trustee.**

**129. (5) The separate school trustees of a composite Francophone regional authority are a corporation under the name of:**

**The Separate School Trustees of the Francophone Regional Authority of \_\_\_\_\_.**

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### 130. Designation of schools

**130. A composite Francophone regional authority must designate each school either as a public school or as a separate school.**

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### 131. Public and separate Francophone regional authorities

**131. (1) If, within a Francophone education region, the public school electors exceed 30% of the combined total number of all public school electors and separate school electors and there are at least 500 students registered in the public schools, the Minister may dissolve the existing composite Francophone regional authority and establish both a public Francophone regional authority and a separate Francophone regional authority.**

**131. (2) The trustees of the public Francophone regional authority established under subsection (1) are a corporation under the name of:**

**The Francophone Regional Authority of \_\_\_\_\_ Public Francophone Education Region.**

**131. (3) The trustees of the separate Francophone regional authority established under subsection (1) are a corporation under the name of:**

**The Francophone Regional Authority of \_\_\_\_\_ Separate Francophone Education Region.**

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### 132. Appointment of trustees on establishment

**132. (1) The Minister may appoint the first trustees of a Francophone regional authority.**

**132. (2) Trustees of a Francophone regional authority appointed under subsection (1) hold office until the first organizational meeting of the Francophone regional authority held after the first general election held after the Francophone regional authority is established.**

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### 133. Agreements with school divisions

**133. (1) The board of a school division required by the Minister to do so must enter into an agreement with the Francophone regional authority respecting any matter the Minister considers necessary, including, but not limited to, dealing with assets and liabilities and the transfer of employees.**

**133. (2) If a board referred to in subsection (1) and the Francophone regional authority do not enter into an agreement under subsection (1) within a period that the Minister considers reasonable, the Minister may make an order respecting any matter the Minister considers necessary.**

---

134. Responsibility and authority of Francophone regional authority

**134. (1) A Francophone regional authority has the responsibility and authority to ensure that minority language educational rights guaranteed under the Constitution of Canada are protected in the Francophone education region.**

**134. (2) The separate school trustees of a composite Francophone regional authority have the responsibility and authority to ensure that the rights and privileges with respect to separate schools guaranteed under the Constitution of Canada are protected in the Francophone education region.**

**134. (3) A separate Francophone regional authority has the responsibility and authority to ensure that both minority language educational rights and the rights and privileges with respect to separate schools guaranteed under the Constitution of Canada are protected in the Francophone education region.**

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135. Eligibility

**135. (1) For the purposes of this Act and the *Local Authorities Election Act*, an individual is eligible to vote in an election of trustees of a Francophone regional authority if**

**(a) the individual**

**(i) is a Francophone,**

**(ii) is 18 years of age or older,**

**(iii) is a Canadian citizen, and**

**(iv) has been a resident of Alberta for the 6 consecutive months immediately preceding election day and resides in the Francophone education region on election day,**

**or**

**(b) the individual is a member of a class of individuals prescribed by the Lieutenant Governor in Council as being eligible to vote.**

**135. (2) For the purposes of this Act and the *Local Authorities Election Act*, an individual is eligible to be elected as a trustee of a Francophone regional authority if the individual**

**(a) is a Francophone,**

**(b) is 18 years of age or older,**

**(c) is a Canadian citizen,**



(d) has been a resident of Alberta for the 6 consecutive months immediately preceding nomination day and resides in the Francophone education region on election day, and

(e) is not otherwise ineligible under the *Local Authorities Election Act*.

135. (3) An individual who is a public school elector is eligible only

(a) to vote for, and

(b) to be nominated as a candidate for election as,

a public school trustee of a Francophone regional authority.

135. (4) For the purposes of this Act, an individual who is a separate school elector is eligible

(a) to vote for, and

(b) to be nominated as a candidate for election as,

either a public school trustee or a separate school trustee of a Francophone regional authority, but not both.

135. (5) A person who is eligible to vote in an election for a board other than a Francophone regional authority and in an election for a Francophone regional authority may only vote in one election.

135. (6) A person may not be a trustee of a Francophone regional authority and of a board at the same time.

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### 136. Dissolution of Francophone regional authority

136. (1) A Francophone regional authority may pass a resolution requesting the Minister to dissolve the Francophone regional authority.

136. (2) The Minister, subject to any terms or conditions the Minister imposes, may, by order, dissolve a Francophone regional authority whether or not the Minister receives a resolution requesting the dissolution.

136. (3) If on the dissolution of a Francophone regional authority the Minister considers an adjustment of assets or liabilities to be necessary, the Minister shall, by order, give directions with respect to the assets or liabilities of the Francophone regional authority.

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## Part 9 – Transitional Provisions, Consequential Amendments, Repeals and Coming into Force

### Transitional Provisions

260. Transitional provisions

260. (1) In this section, “former Act” means the *School Act*, R.S.A. 2000 c. S-3.

[...]

260. (7) A Francophone Education Region established under the former Act is deemed to be a Francophone education region established under this Act.

260. (8) A board of trustees of a Francophone Regional authority established under the former Act is deemed to be a board of trustees of a Francophone Regional authority established under this Act.

### [Election Act, R.S.A. 2000, c. E-1](#)

78. Interpreters

78. (1) An interpreter may be appointed in the prescribed form to translate questions and answers about voting procedures for persons not conversant in the English language.

RSA 2000 cE-1 s78;2004 c23 s42

### [Engineering and Geoscience Professions Act, R.S.A. 2000, c. E-11](#)

19. Regulations

19. (1) The Council may make regulations

[...]

(d) respecting the eligibility of applicants generally for registration to engage in the practice of engineering or geoscience

RSA 2000 cE-11 s19;2007 c13 s11;2011 c3 s9

### [ASET Regulation – Engineering and Geoscience Professions Act, Alta. Reg. 282/2009](#)

13. Eligibility

13. (1) A person who meets the following requirements and applies to the ASET Registrar for registration is entitled to be registered as a regulated member:

[...]

(d) the applicant demonstrates to the ASET Board of Examiners that the applicant has a proficiency in the English language that is sufficient to enable the applicant to responsibly practice the profession of applied science, information or engineering technology;

[Engineering and Geoscience Professions General Regulation – Engineering and Geoscience Professions Act, Alta. Reg. 150/1999](#)

**Part 1**

**Division 5 – Professional Members**

13. Eligibility

13. (1) A person who meets the following requirements and applies to the Registrar for registration is entitled to be registered as a professional member:

[...]

(d) the applicant demonstrates to the Board of Examiners that the applicant has a proficiency in the English language that is sufficient to enable the applicant to responsibly practice the profession of engineering or geoscience;

AR 150/99 s13;37/2003;346/2009;55/2012

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**Part 10**

Professional Licensees

77. Eligibility

77. (1) A person who meets the following requirements and applies to the Registrar for registration is entitled to be registered as a professional licensee:

[...]

(d) the applicant demonstrates to the Board of Examiners that the applicant has a proficiency in the English language that is sufficient to enable the applicant to responsibly practise the profession of engineering or geoscience;

AR 150/99 s77;281/2009;55/2012

[Professional Technologists Regulation – Engineering and Geoscience Professions Act, Alta. Reg. 283/2009](#)

5. Eligibility

5. (1) A person who meets the following requirements and applies to the ASET Registrar for registration is entitled to be registered as a professional technologist:

[...]

(d) the applicant demonstrates to the Joint Board of Examiners that the applicant has a proficiency in the English language that is sufficient to enable the applicant to responsibly practice the profession of engineering or geoscience within the prescribed scope of practice;

AR 283/2009 s5;57/2012

[Family Law Act, S.A. 2003, c. F-4.5](#)

**Part 2 – Guardianship, Parenting and Contact Orders and Enforcement of Time with a Child**

18. Best interests of the child

18. (1) In all proceedings under this Part except proceedings under section 20, the court shall take into consideration only the best interests of the child.

18. (2) In determining what is in the best interests of a child, the court shall

[...]

(b) consider all the child's needs and circumstances, including

[...]

(iii) the child's cultural, linguistic, religious and spiritual upbringing and heritage;

2003 cF-4.5 s18;2010 c16 s1(16)

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**ANNOTATIONS**

[Rensonnet v. Uttl](#), 2016 ABQB 95 (CanLII)

**F. Schooling**

[230] As indicated, it seems best to specifically address where the children should be educated, even though that is often left to the parent with legal custody. In this case, it has been a major area of disagreement.

[231] The court's role is to consider what is in the best interests of the children or, in the case at hand, whether it is in the children's best interests to remain enrolled at the Francophone school. It is not for the court to decide whether the Francophone school is the best school for the children in an abstract sense.

[232] Ms. Rensonnet has well-articulated, reasonable justifications for her preference that the children remain at the Francophone school at least over the next few years. She points out that both parents agree the children would benefit from a second language, as it gives them additional opportunities and helps develop cognitive skills. She believes French is the preferred other language, because of its status in Canada and it being Ms. Rensonnet's native language and part of her culture. She can provide a French environment to assist in learning the language. She commented that Mr. Uttl did not see any point in the children learning Czech, because it is a

“dead language.” Finally, she believes that being fluently bilingual in English and French would open many career opportunities for the children in Canada.

[233] Mr. Uttl’s major objection is that with the children in Francophone school, he will be sidelined and alienated because he will be unable to help them with their education or participate in extra-curricular activities such as ski trips. He would be unable to work with them on their homework, which is done in French. He strongly prefers a Calgary Board of Education school which, he says, will have some French mandatory content.

[234] I understand and am sympathetic to Mr. Uttl’s concerns. However, it is clear from the correspondence and the testimony of both parties that Mr. Uttl has made the problem worse by adopting a very negative attitude to the children’s school. He is not the only non-French speaking parent whose children attend (sic). From the evidence, I conclude that someone of Mr. Uttl’s intelligence and accomplishments could find a way to work constructively with his children while they attend Francophone school, if he committed himself to that approach.

[...]

[237] Ms. Rensonnet proposed, as an alternative, that the children remain at the Francophone school at least until completion of grade three, and that the question of schooling may then be reviewed. After grade three, the children could more easily adapt to an English-only school, because the Francophone school has a graduated introduction of English into the program in the early years.

[238] I find that it is in the best interests of the children that they remain in the Francophone school over the next several years. I am convinced by Ms. Rensonnet’s arguments that given her background and the French culture she can provide, the European travel to which the children have and will likely continue to be exposed through both of their parents, and the Canadian linguistic environment, a bilingual English and French program is most suitable for the children at this time. Furthermore, the evidence shows that they are doing well at the Francophone school, as are other children who have a parent unable to speak French. Finally, Mr. Uttl has not proposed any specific alternative to which the current educational program can be compared.

[239] However, despite the element of uncertainty it will create, I find that I should set a review date for schooling to be reconsidered. That will enable both parties to make best efforts to become involved in the educational life of their children over this interim period. Both will have ample time to fairly consider the next stage of education, and hopefully consult before resorting to the court review process. Thus, future schooling of the children will be reviewable as of January 15, 2019, with the intent that a decision will be made in time for the 2019-2020 school year. That is, on the evidence, a reasonable time to review whether Francophone schooling should continue.

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## Division 1 – Guardianship

### 21. Powers, responsibilities and entitlements of guardianship

**21. (1) A guardian shall exercise the powers, responsibilities and entitlements of guardianship in the best interests of the child.**

**21. (6) Except where otherwise limited by law, including a parenting order, each guardian may exercise the following powers:**

[...]

(d) to make decisions regarding the child's cultural, linguistic, religious and spiritual upbringing and heritage;

2003 cF-4.5 s21;2005 c10 s7

**Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25**

94. Power to make regulations

94. (1) The Lieutenant Governor in Council may make regulations

[...]

(e) respecting the making of requests under this Act orally instead of in writing;

RSA 2000 cF-25 s94;2003 c21 s21;2006 c17 s9; 2011 cC-11.5 s30

**Freedom of Information and Protection of Privacy Regulation – Freedom of Information and Protection of Privacy Act, Alta. Reg. 186/2008**

5. Oral requests

5. An applicant may make an oral request for access to a record if

(a) the applicant's ability to read or write English is limited, or

(b) the applicant has a physical disability or condition that impairs the applicant's ability to make a written request.

**Health Disciplines Act, R.S.A. 2000, c. H-2**

55. Regulations

55. (1) The Board may make regulations

[...]

(b) prescribing the conditions or restrictions, if any, under which registered members of each designated health discipline may provide health services;

RSA 2000 cH-2 s55;2006 c23 s39

**Acupuncture Regulation – Health Disciplines Act, Alta. Reg. 42/1988**

2. Initial registration

**2. (1) A person is eligible to be registered as a member of the designated health discipline of acupuncturist if the person**

**[...]**

**(f) provides evidence satisfactory to the Registrar of sufficient competence in and comprehension of the English language to be able to practice as an acupuncturist in Alberta.**

**AR 42/88 s2;206/2010**

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12. Patient records

**12. (1) An acupuncturist shall, in the English language, complete a records of management for each patient.**

**AR 42/88 s12;206/2010**

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18. Advertisement contents

**18. (1) Only the following information may be included by an acupuncturist in an announcement, business card, letterhead or an advertisement in any regularly published publication or on a sign:**

**[...]**

**(e) languages the acupuncturist speaks;**

**AR 42/88 s18;206/2010**

**Health Professions Act, R.S.A. 2000, c. H-7**

131. Council regulations

**131. (1) A council may make regulations**

**(a) respecting requirements for and applications for registration and practice permits, including but not restricted to**

**(i) education, experience, enrolment in programs of studies, successful completion of examinations, including limiting the number of times examinations may be taken, and holding of certificates and diplomas;**

(ii) recognizing professions in other jurisdictions for the purposes of section 28(2)(b);

(iii) requirements for the purposes of section 28(2)(b);

(iv) carrying professional liability insurance and governing the minimum coverage and type of insurance required to be carried;

(v) providing evidence of being a Canadian citizen or lawfully permitted to work or study in Canada;

(vi) providing evidence of having good character and reputation;

(viii) for the purposes of section 28(2)(c), determining the combination of education, experience, practice and other qualifications that demonstrates the competence required for registration as a regulated member;

(b) respecting the evaluation of education, training, experience, practice and competence required of applicants for registration as regulated members and of applicants for practice permits, including the establishment or designation of an entity that may conduct all or part of an evaluation;

RSA 2000 cH-7 s131;2001 c21 s22; 2005 c13 s4(3); 2006 c19 s2(11);2007 c32 s1(29);2008 c34 s14

**Combined Laboratory and X-ray Technologists Profession Regulation – Health Professions Act, Alta. Reg. 224/2005**

9. English language requirements

9. (1) An applicant for registration as a regulated member must be sufficiently proficient in the English language to be able to provide professional services in English.

9. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the standards approved by the Council.

**Dental Assistants Profession Regulation – Health Professions Act, Alta. Reg. 252/2005**

31. Requested information

31. (1) A regulated member must provide the following information on the initial application for registration, when there are any changes to the information and on the request of the Registrar:

[...]

(h) languages other than English;



**Dental Hygienists Profession Regulation – Health Professions Act, Alta. Reg. 255/2006**

10. English language requirements

**10. (1) An applicant for registration as a regulated member on the general register or on the courtesy register must be sufficiently proficient in English to be able to engage safely and competently in the practice of the profession of dental hygienists.**

**10. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

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31. Request information

**31. (1) An applicant for registration, a general member and a courtesy member must provide the following information in addition to that required under section 33(3) of the Act, on the initial application for registration, when there are any changes to the information or at the request of the Registrar:**

[...]

(o) languages in which the member can provide professional service;

**Denturists Profession Regulation – Health Professions Act, Alta. Reg. 186/2002**

8.1 English language requirements

**8.1 (1) An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of denturism.**

**8.1 (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

AR 269/2009 s10

**Licensed Practical Nurses Profession Regulation – Health Professions Act, Alta. Reg. 81/2003**

11. English language requirements

**11. (1) An applicant for registration as a regulated member must be sufficiently proficient in the English language to be able to provide professional services in English.**

**11. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the standards approved by the Council.**

**Medical Diagnostic and Therapeutic Technologists Profession Regulation – Health Professions Act, Alta. Reg. 61/2005**

9. English language requirements

9. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of medical diagnostic and therapeutic technology.

9. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.

**Medical Laboratory Technologists Profession Regulation – Health Professions Act, Alta. Reg. 255/2001**

10. English language requirements

10. (1) In addition to the other registration requirements in this Regulation, an applicant for registration as a regulated member must be sufficiently proficient in the English language to be able to provide professional services in English.

10. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the standards approved by the Council.

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24. Requested information

24. (1) A regulated member must provide the following information on the initial application for registration, when there are any changes to the information, an application for a practice permit and on request of the Registrar:

[...]

(c) the educational history, including the name of the institution from which the regulated member graduated, the year of graduation and the language of instruction;

**Naturopaths Profession Regulation – Health Professions Act, Alta. Reg. 126/2012**

11. English language requirements

11. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of naturopathic medicine.

11. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.

37. Information to be provided

**37. (1) A regulated member or an applicant for registration must provide the following information, in addition to the information required under section 33(3) of the Act, to the Registrar on the request of the Registrar, on application for registration and when there are any changes to the information:**

[...]

**(c) the languages in which a regulated member or an applicant for registration can provide professional services;**

**Occupational Therapists Profession Regulation – Health Professions Act, Alta. Reg. 217/2006**

10. English language requirements

**10. (1) Every applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of occupational therapy.**

**10. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

**Opticians Profession Regulation – Health Professions Act, Alta. Reg. 45/2011**

31. Duty to provide information

**31. (1) An applicant for registration or a regulated member must provide the following information, in addition to that required under section 33(3) of the Act, to the Registrar on the request of the Registrar, on application for registration and when there are changes to the information:**

[...]

**(b) the following practice information:**

[...]

**(ix) languages in which a regulated member or an applicant for registration provides professional services;**

**31. (2) On the request of a member of the public, the College may disclose the following information with respect to a regulated member:**

[...]

**(c) languages in which professional services are provided.**

**Paramedics Profession Regulation – Health Professions Act, Alta. Reg. 151/2016**

13. Other requirements

**13. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of the paramedic profession.**

**13. (2) An applicant may be required by the Registrar or Registration Committee to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

---

36. Providing information

**36. (1) A regulated member or an applicant for registration must provide the following information, in addition to that required under section 33(3) of the Act, to the Registrar when applying for registration or to renew a registration, whenever requested by the Registrar and whenever there are any changes to the information:**

[...]

**(b) the following information respecting the regulated member's or applicant's practice:**

[...]

**(iii) the languages in which the regulated member or applicant is able to provide professional services;**

**Pharmacists and Pharmacy Technician Profession Regulation – Health Professions Act, Alta. Reg. 129/2006**

12. English language requirements

**12. (1) An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of pharmacists or the practice of pharmacy technicians, as the case may be.**

**12. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

**Physical Therapists Profession Regulation – Health Professions Act, Alta. Reg. 64/2011**

10. English language requirements

**10. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of physical therapy.**

**10. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

**Physicians, Surgeons and Osteopaths Profession Regulation – Health Professions Act, Alta. Reg. 350/2009**

15. English language requirements

**15. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of medicine or osteopathy.**

**15. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

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40. Providing information

**40. (1) A regulated member or an applicant for registration must provide the following information in addition to that required under section 33(3) of the Act to the Registrar on the request of the Registrar, on application for registration and when there are changes to the information:**

[...]

**(h) languages in which a regulated member or an applicant for registration can provide professional services;**

**Podiatrists Profession Regulation – Health Professions Act, Alta. Reg. 60/2012**

9. English language requirements

**9. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of podiatry.**

**9. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

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30. Providing information

**30. (1) A regulated member or an applicant for registration must provide the following information in addition to that required under section 33(3) of the Act to the Registrar, on the request of the Registrar, on application for registration and when there are changes to the information:**

[...]

**(h) languages in which a regulated member or an applicant for registration can provide professional services;**

**Registered Dietitians and Registered Nutritionists Profession Regulation – Health Professions Act, Alta. Reg. 79/2002**

5. Equivalent competence

**5. (1) An applicant who does not meet the requirements under section 3 or 4 but whose qualifications have been determined by the Registrar or Registration Committee to be substantially equivalent to the registration requirements set out in section 3 is eligible for registration on the general register.**

**5. (2) For the purposes of subsection (1), the Registrar or the Registration Committee may require the applicant to undertake one or more of the following:**

[...]

**(b) language fluency assessments;**

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26. Information under s33 of the Act

**26. (1) A regulated member must provide the following information at the request of the Registrar in addition to that required under section 33(3) of the Act and advise the Registrar of any change to the information:**

[...]

**(b) practice information including:**

[...]

**(viii) languages in which the member provides professional services;**

**Registered Nurses Profession Regulation – Health Professions Act, Alta. Reg. 232/2005**

13. English language requirements

**13. An applicant for registration as a regulated member whose first language is not English must demonstrate to the Registrar in accordance with the standards approved by the Council proficiency in the English language sufficient to enable the applicant to engage in safe and competent nursing practice.**

**Registered Psychiatric and Mental Deficiency Nurses Profession Regulation – Health Professions Act, Alta. Reg. 231/2005**

12. English language requirements

**12. (1) An applicant for registration as a regulated member must be sufficiently proficient in the English language to be able to provide professional services in English.**

**12. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the standards approved by the Council.**

**Respiratory Therapists Profession Regulation – Health Professions Act, Alta. Reg. 137/2009**

10. English language requirements

**10. (1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of respiratory therapy.**

**10. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.**

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32. Providing information

**32. (1) A regulated member or an applicant for registration must provide the following information in addition to that required under section 33(3) of the Act on the initial application for registration, when there are changes to the information or at the request of the Registrar:**

[...]

**(m) languages in which a regulated member or an applicant for registration is proficient in providing respiratory therapy services;**

**Social Workers Profession Regulation – Health Professions Act, Alta. Reg. 82/2003**

30. Providing information

**30. (1) A regulated member must provide the following information in addition to that required under section 33(3) of the Act when there is a change to the information or at the request of the Registrar:**

[...]

**(h) languages spoken or understood;**

[...]

**(n) languages in which professional services are provided;**

**Speech-Language Pathologists and Audiologists Profession Regulation – Health Professions Act, Alta. Reg. 124/2002**

11. English language requirements

**11. (1) All applicants for registration as regulated members must be sufficiently proficient in the English language to be able to provide professional services in English.**

**11. (2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the standards approved by the Council.**

**Insurance Act, R.S.A. 2000, c. I-3**

**Licensing Requirements**

21. Names

**21. (1) No insurer may be licensed with a name that does not meet the requirements of section 211(1) and the regulations under section 212.**

**21. (2) Subject to this Act and the regulations, an insurer may be licensed with a name in an English form, a French form, an English form and a French form or a combined English and French form, and it may be legally designated in Alberta by any such name.**

1999 cl-5.1 s21

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## Division 13 – General

### 211. Names

**211. (2) Subject to this Act and the regulations, a provincial company may have a name in an English form, a French form, an English form and a French form or a combined English and French form, and it may be legally designated by any such name.**

1999 cl-5.1 s211

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### 213. Use of “insurance” in names

**213. No entity incorporated or formed by or under an enactment, other than a provincial company, may use the words “insurance company” or “insurance corporation” or the French equivalents of those words in its name.**

1999 cl-5.1 s213

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## Certificates of Authority

### 466. Names

**466. (1) No business may be issued a new certificate of authority or have a certificate of authority renewed or reinstated if the name of the business**

**(a) includes the words “insurance company” or “insurance corporation” or the French equivalent of those words, or**

**(b) is identical or similar to the name of an insurer formed under the laws of Canada or of a province or territory.**

**466. (2) The Minister may refuse to issue a new certificate of authority or to renew or reinstate a certificate of authority to a business if the Minister is satisfied that the name of the business is confusing or misleading.**

1999 cl-5.1 s466

## [Interjurisdictional Support Orders Act, S.A. 2002, c. I-3.5](#)

### 40. Translation

**40. (1) An order or other document that is to be sent to a reciprocating jurisdiction that requires it to be translated into another language must be accompanied with a translation into that language and a certificate of the translator authenticating the accuracy of the translation.**

**40. (2) The person for whom the order or document is being sent to a reciprocating jurisdiction must provide the translation and certificate.**

40. (3) An order or other document from a reciprocating jurisdiction that is written in a language other than English must be accompanied with a translation into English and a certificate of the translator authenticating the accuracy of the translation.

[International Child Abduction Act, R.S.A. 2000, c. I-4](#)

**Schedule – Convention of the Civil Aspects of International Child Abduction**

Article 24

Any application, communication or other document sent to the Central Authority of the requested State shall be in the original language, and shall be accompanied by a translation into the official language or one of the official languages of the requested State or, where that is not feasible, a translation into French or English.

However, a Contracting State may, by making a reservation in accordance with Article 42, object to the use of either French or English, but not both, in any application, communication or other document sent to its Central Authority.

[International Commercial Arbitration Act, R.S.A. 2000, c. I-5](#)

**Schedule 1 – Convention on the Recognition and Enforcement of Foreign Arbitral Awards**

Article IV

1. To obtain the recognition and enforcement mentioned in the preceding article, the party applying for recognition and enforcement shall, at the time of the application, supply:

- a) The duly authenticated original award or a duly certified copy thereof;
- b) The original agreement referred to in article II or a duly certified copy thereof.

2. If the said award or agreement is not made in an official language of the country in which the award is relied upon, the party applying for recognition and enforcement of the award shall produce a translation of these documents into such language. The translation shall be certified by an official or sworn translator or by a diplomatic or consular agent.

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**Schedule 2 – UNCITRAL Model Law on International Commercial Arbitration**

**Chapter V**

Article 22. Language

(1) The parties are free to agree on the language or languages to be used in the arbitral proceedings. Failing such agreement, the arbitral tribunal shall determine the language or languages to be used in the proceedings. This agreement or determination, unless

otherwise specified therein, shall apply to any written statement by a party, any hearing and any award, decision or other communication by the arbitral tribunal.

(2) The arbitral tribunal may order that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the arbitral tribunal. [...]

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## **Chapter VIII – Recognition and Enforcement of Awards**

### **Article 35. Recognition and enforcement**

(1) An arbitral award, irrespective of the country in which it was made, shall be recognized as binding and, upon application in writing to the competent court, shall be enforced subject to the provisions of this article and of article 36.

(2) The party relying on an award or applying for its enforcement shall supply the duly authenticated original award or a duly certified copy thereof, and the original arbitration agreement referred to in article 7 or a duly certified copy thereof. If the award or agreement is not made in an official language of this State, the party shall supply a duly certified translation thereof into such language.

### **[International Conventions Implementation Act, R.S.A. 2000, c. I-6](#)**

## **Schedule 3 – Convention Between Canada and the United Kingdom of Great Britain and Northern Ireland Providing for the Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters**

### **Part IV**

#### **Article VI**

**4. The registering court may require that an application for registration be accompanied by**

- (a) the judgment of the original court or a certified copy thereof;**
- (b) a certified translation of the judgment, if given in a language other than the language of the territory of the registering court;**
- (c) proof of the notice given to the defendant in the original proceedings, unless this appears from the judgment; and**
- (d) particulars of such other matters as may be required by the rules of the registering court.**

[International Interests in Mobile Aircraft Equipment Act, S.A. 2006, c. I-6.5](#)

**Schedule 1 – Convention on International Interests in Mobile Equipment**

Article 62 – Depositary and its functions

[...]

Done at Cape Town, this sixteenth day of November, two thousand and one, in a single original in the English, Arabic, Chinese, French, Russian and Spanish languages, all texts being equally authentic, such authenticity to take effect upon verification by the Joint Secretariat of the Conference under the authority of the President of the Conference within ninety days hereof as to the conformity of the texts with one another.

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**Schedule 2 – Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment**

Article XXXVII – Depositary and its functions

[...]

Done at Cape Town, this sixteenth day of November, two thousand and one, in a single original in the English, Arabic, Chinese, French, Russian and Spanish languages, all texts being equally authentic, such authenticity to take effect upon verification by the Joint Secretariat of the Conference under the authority of the President of the Conference within ninety days hereof as to the conformity of the texts with one another.

[Interpretation Act, R.S.A. 2000, c. I-8](#)

16. Corporate rights and powers

16. Words in an enactment establishing or continuing a corporation

[...]

(e) in the case of a corporation having a name consisting of an English and a French form or a combined English and French form, vest in the corporation power to use either the English or French form of its name, or both forms, and to show on its seal both the English and French forms of its name or to have 2 seals, one showing the English and the other showing the French form of its name.

R.S.A. 2000 c. I-8 s. 16; 2005 c. 8 s. 61

[Jury Act, R.S.A. 2000, c. J-3](#)

5. Exemption from jury service

5. (1) The following persons may be exempted from serving as jurors:

[...]

(g) a person who is unable to understand, speak or read the language in which the trial is to be conducted;

1982 cJ-2.1 s5

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## 12. Challenge of jurors

12. (2) In addition to any challenges that may be made under subsection (1), a party is entitled to any number of challenges for cause on the following grounds:

[...]

(f) the person is unable to understand, speak or read the language in which the trial is to be conducted.

### [Jury Act Regulation – Jury Act, Alta. Reg. 68/1983](#)

2. (2.1) Notwithstanding subsection (2), the selection of a jury panel for a jury of French-speaking persons may be made from a list, compiled by the sheriff, of French-speaking persons who have been previously summoned for a jury panel.

AR 68/83 s2;243/89;251/2001

### [Legal Profession Act, R.S.A. 2000, c. L-8](#)

## 41. Transfer of Canadian lawyers to Alberta

41. (3) The Benchers may make rules respecting the enrolment of a person under subsection (1), including but not limited to rules establishing conditions to which the enrolment is subject, including

[...]

(b) the condition that a person must be sufficiently proficient in English to be able to engage competently in the practice of law, and

RSA 2000 cL-8 s41;2003 c42 s12;2009 c7 s7; 2011 c20 s9

[Loan and Trust Corporations Act, R.S.A. 2000, c. L-20](#)

**Letters Patent and Incidents of Incorporation**

20. Names

**20. (2) Subject to this Act and the regulations, a provincial corporation may have a name in an English form, a French form, an English form and a French form or a combined English and French form, and it may be legally designated by any such name.**

1991 cL-26.5 s20

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**Registration**

34. Names

**34. (3) Subject to this Act and the regulations, a corporation may be registered that has a name in an English form, a French form, and English form and a French form or a combined English and French form, and it may be legally designated in Alberta by any such name.**

1991 cL-26.5 s34;1992 c21 s24

[Loan and Trust Corporations \(Ministerial\) Regulation – Loan and Trust Corporations Act, Alta. Reg. 172/1992](#)

6. Name requirements

**6. (1) No letters patent may be issued to a corporation and no corporation may be registered unless the name of the corporation meets the following requirements:**

**(a) the name must not contain anything other than**

**(i) letters of the alphabet used in the English or French language,**

**(ii) arabic numerals, and**

**(iii) punctuation marks, symbols or other marks in common usage in the English or French language;**

**(b) the first character of the name must be an arabic numeral or a letter of the alphabet;**

**(c) the name may not contain a year unless the corporation is an amalgamated corporation and the year is the year the amalgamation took place.**

AR 172/92 s6;206/2001

[Local Authorities Election Act, R.S.A. 2000, c. L-21](#)

72. Interpreter

72. (1) If an elector is unable to read or does not understand the English language, the deputy may allow an interpreter to read or to translate the statement as well as any question necessary for the proper purposes of the election put to the elector, and the elector's answers.

72. (2) Before acting as an interpreter, the interpreter shall make a statement in the prescribed form.

RSA 2000 cL-21 s72;2003 c27 s24

[Local Authorities Election Forms Regulation – Local Authorities Election Act, Alta. Reg. 106/2007](#)

1. Forms

1. (1) The forms set out in Schedule 1 are the English forms for use under the *Local Authorities Election Act*.

1. (2) The forms set out in Schedule 2 are the French forms for use under the *Local Authorities Election Act*.

[Marriage Act, R.S.A. 2000, c. M-5](#)

10. Witnesses to marriage

10. (2) No person shall solemnize a marriage when one or both of the parties do not understand the language in which the marriage ceremony is to be performed unless an interpreter is present to interpret and explain clearly to the party or parties the meaning of the ceremony.

RSA 1980 cM-6 s9;1983 c86 s4

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SEE ALSO:

[Marriage Act Regulation – Marriage Act, Alta. Reg. 162/2000](#), Form 3: Affidavit of Interpretation.

[Mental Health Act, R.S.A. 2000, c. M-13](#)

14. Duties toward patients

14. (2) In the event of language difficulty, the board or the designated person referred to in subsection (1.1), as the case may be, shall obtain a suitable interpreter and provide the information and the written statement referred to in subsection (1) or (1.1),

(a) in the case of a formal patient, in the language spoken by the formal patient or the patient's guardian, or

(b) in the case of a person who is subject to a community treatment order, in the language spoken by the person or the person's guardian.

RSA 2000 cM-13 s14;2007 c35 s11

**Municipal Government Act, R.S.A. 2000, c. M-26**

208. Performance of major administrative duties

208. (1) The chief administrative officer must ensure that

(a) all minutes of council meetings are

(i) recorded in the English language without note or comment;

RSA 2000 cM-26 s208;2015 c8 s22

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362. Exemptions for Government, churches and other bodies

362. (1) The following are exempt from taxation under this Division:

[...]

(c) property, other than a student dormitory, used in connection with school purposes and held by

[...]

(i.1) the Regional authority for a Francophone Education Region established under the *School Act*;

RSA 2000 cM-26 s362;2003 cP-19.5 s142;2017 c13 s1(35)

**Community Organization Property Tax Exemption Regulation – Municipal Government Act, Alta. Reg. 281/1998**

13. Definitions

13. In this Part,

[...]

(c) “ethno-cultural association” means an organization formed for the purposes of serving the interests of a community defined in terms of the racial, cultural, ethnic, national or linguistic origins or interests of its members;



(d) “linguistic organization” means an organization formed for the purpose of promoting the use of English or French in Alberta;

AR 281/98 s13;283/2003;204/2011

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15. Day cares, museums and other facilities

15. A non-profit organization that holds property on which any of the following facilities are operated may apply to the municipality within whose area the property is located for an exemption from taxation:

[...]

(e) a facility used by a linguistic organization if

(i) the use of the property by the general public is actively encouraged, and

(ii) a sign is prominently posted in the facility indicating the hours that the whole or part of the facility is accessible to the public;

(f) a facility used by an ethno-cultural association for sports, recreation or education or for charitable or other benevolent purposes if

(i) the use of the property by the general public is actively encouraged, and

(ii) a sign is prominently posted in the facility indicating the hours that the whole or part of the facility is accessible to the public;

AR 281/98 s15;283/2003;182/2008;77/2010

[Personal Property Security Act, R.S.A. 2000, c. P-7](#)

73. Regulations

73. (1) The Lieutenant Governor in Council may make regulations

[...]

(e) respecting

(i) the form, contents and manner of use of financing statements and other writings;

RSA 2000 cP-7 s73;2009 c53 s129

**Personal Property Security Regulation – Personal Property Security Act,  
Alta. Reg. 95/2001**

21. Specifying names of artificial bodies

21. (7) Notwithstanding subsection (2)(a), if

(a) the debtor is a corporation,

(b) the name of the debtor is in more than one of the following forms

(i) an English form,

(ii) a French form, or

(iii) a combined English-French form,

and

(c) the debtor uses more than one form of its name in Alberta at the time of registration,

the financing statement or financing change statement must set out, as separate debtor names, all forms of the name of the debtor that are used by it in its business dealings in Alberta.

**Post-secondary Learning Act, S.A. 2003, c. P-19.5**

**Part 2 – Colleges and Technical Institutes**

42. Powers and duties of initial governing authority

42. (2) Notwithstanding anything in this Act, the initial governing authority of a public college or technical institute

(a) shall, subject to section 58.6 of the *Labour Relations Code*, after consulting with the academic staff association and with any other bargaining agent representing employees of the public college or technical institute affected by the designation, do one or both of the following:

(i) designate categories of employees as academic staff members of the public college or technical institute;

(ii) designate individual employees as academic staff members of the public college or technical institute,

(b) shall prescribe procedures respecting the election of

(i) the first executive of the academic staff association at the public college or technical institute, and

(ii) the first councils of the student organizations at the public college or technical institute,

and

(c) may, subject to section 58.6 of the *Labour Relations Code*, change a designation made under this subsection after consulting with the academic staff association and with any other bargaining agent representing employees of the public college or technical institute affected by the change in designation.

### Part 3 – The Banff Centre

#### 51. Continuation

51. The Banff Centre is continued with the object of providing the public with access to a broad range of learning experience with emphasis on the fine arts, management studies, language training and environmental training.

2003 cP-19.5 s51;2008 c25 s6

### [Programs of Study Regulation – Post-Secondary Learning Act, Alta. Reg. 91/2009](#)

#### Other Programs

#### 13. Programs under s. 45(2) of Act

13. For the purposes of section 45(2) of the Act, the board of a vocational college must provide the following programs:

- (a) academic upgrading programs;
- (b) career entry programs with a duration of one year or less;
- (c) where deemed necessary, any English as a second language program.

### [Reciprocal Enforcement of Judgments Act, R.S.A. 2000, c. R-6](#)

#### 4. Translation

4. When a judgment sought to be registered under this Act is in a language other than the English language, the judgment or the exemplification or certified copy of it, as the case may be, shall have attached to it for all purposes of this Act a translation in the English language approved by the Court, and on the approval being given the judgment is deemed to be in the English language.

R.S.A. 1980 c. R-6 s. 4

**Regulated Forestry Profession Act, R.S.A. 2000, c. R-13**

22. Application for registration

**22. (1) An application for registration as a regulated member is complete for the purpose of consideration under section 23(3) if it is in the required form and given to the registrar by the applicant along with**

[...]

**(f) evidence of meeting standards of language proficiency, if required by the regulations, and**

**RSA 2000 cR-13 s22;2001 c26 s4**

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100. Council regulations

**100. (1) A council may make regulations**

**(a) respecting requirements for and applications for registration and practice permits, including but not restricted to,**

[...]

**(vii) providing evidence respecting standards of language proficiency;**

**RSA 2000 cR-13 s100;2001 c26 s23**

**Registered Professional Foresters Regulation – Regulated Forestry Profession Act, Alta. Reg. 75/2002**

21. Information provided by regulated members and applicants

**21. (1) The registrar may require applicants for registration and regulated members applying for practice permits to provide the following information:**

**(a) demographic and forestry practice information, including:**

[...]

**(vii) language(s) in which the applicant provides professional services;**

**Registered Professional Forest Technologists Regulation – Regulated Forestry Profession Act, Alta. Reg. 76/2002**

18. Information provided by regulated members

18. (1) The registrar may require applicants for registration and regulated members applying for practice permits to provide the following information:

(a) demographic and forestry practice information, including

[...]

(vii) language(s) in which the applicant provides professional services;

**School Act, R.S.A. 2000, c. S-3**

Preamble

[...]

**WHEREAS the Regional authority of a Francophone Education Region has a unique responsibility and the authority to ensure that both minority language educational rights and the rights and privileges with respect to separate schools guaranteed under the Constitution of Canada are protected in the Region, such that the principles of francophone educational governance are distinct from, not transferrable to nor a precedent for, the English educational system;**

---

1. Interpretation

1. (1) In this Act,

[...]

(k) “Francophone” means an individual referred to in section 10(1);

[...]

(u) “Region”, except in Division 3 of Part 8, means a Francophone Education Region established pursuant to this Act;

---

4. Application to Francophone Education Regions

4. (1) The following apply to a Francophone Education Region and its Regional authority, if any, as if the Region were a district and the Regional authority were a board:

sections 1 to 4;

Part 1;

Part 2 except section 28;

Part 3 except sections 44 and 45;

Part 4;

Part 5;

sections 145 to 152, 178, 183 and 184 to 189;

Part 7 except section 200(3);

sections 238 to 245 and 247 to 252;

Part 10.

4. (2) If a provision of this Act applies to a Region, a reference to a board in the provision is deemed to include a reference to the Regional authority, if any.
4. (3) If a provision of this Act applies to a Region, a reference to a trustee in the provision is deemed to include a reference to a member of the Regional authority, if any.
4. (4) If a provision of this Act applies to a Region, a reference to a resident student in the provision as it applies to the Region is deemed to be a reference to a student enrolled in a school operated by the Regional authority, if any.
4. (5) If a provision of this Act applies to a Region, a reference to an elector in the provision as it applies to the Region is deemed to be a reference to an individual referred to in section 256(1).
4. (6) If in any other Act a reference is made
- (a) to a school district or division, the reference is deemed to include a Region governed by a Regional authority, or
  - (b) to a school board or the trustees of a school board, the reference is deemed to include a Regional authority or the members of a Regional authority, as the case may be.
4. (7) Subsection (6) does not apply to a reference in the following Acts:
- Condominium Property Act;*
  - Drainage Districts Act;*
  - Health Insurance Premiums Act;*
  - Hospitals Act;*
  - Northland School Division Act;*
  - Parks Towns Act.*
4. (8) Notwithstanding subsections (1) and (6), the Minister may exempt a Region or a Regional authority from the application of a provision of this or any other Act.

1993 c. 24 s. 3; 1994 c. S-13.3 s. 13; 1995 c. 24 s. 99(31); 1995 c. 27 s. 2

---

## 6. Enrolment in Francophone school

6. (1) If a student's parent is a Francophone who requests that the student be enrolled in a school operated by a Regional authority and the student resides in the Region within the distance from the school prescribed by regulation, the student is entitled to attend that school and the Regional authority shall enrol the student in that school.

6. (2) If a student's parent is a Francophone who requests that the student be enrolled in a school operated by a Regional authority and the student does not reside in the Region within the distance from the school prescribed by regulation, the Regional authority may enrol the student in that school under the terms set by the Regional authority.

6. (3) If a student is the child of a Francophone and is enrolled in a school operated by a Regional authority, the student continues to be a resident student of a board of a district, of a division or, if section 44(7) applies to the student, of the Government, but section 45 does not apply to that board or the Minister, as the case may be, with respect to that student while the student is enrolled in a school operated by a Regional authority.

1993 c. 24 s. 3; 1994 c. 29 s. 4

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## 7. Regulations

### 7. The Minister may make regulations

(a) respecting the distance from a school operated by a Regional authority referred to in section 6;

(b) respecting the amount of fees or costs payable and by whom the fees or costs are payable in respect of a student who is the child of a Francophone and who is enrolled in a francophone program operated by a board.

1993 c. 24 s. 3; 1994 c. 29 s. 5

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## 9. Language of instruction - English

9. Every student is entitled to receive school instruction in English.

1988 c. S-3.1 s. 4

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## 10. Language of instruction - French

10. (1) If an individual has rights under section 23 of the *Canadian Charter of Rights and Freedoms* to have the individual's children receive school instruction in French, the individual's children are entitled to receive that instruction in accordance with those rights wherever in the Province those rights apply.

**10. (2) The Lieutenant Governor in Council may make regulations**

- (a) respecting the education generally of students whose parents are Francophones;
- (b) repealed 2001 c. 27 s. 4;
- (c) notwithstanding any other provision of this Act, respecting any matter required to give effect to subsection (1).

**10. (3) A student who is enrolled in a school operated by a Regional authority is entitled to receive school instruction in French.**

**10. (4) A Regional authority shall provide to each student enrolled in a school operated by it an education program consistent with the requirements of this Act and the regulations.**

R.S.A. 2000 c. S-3 s. 10; 2001 c. 27 s. 4.

---

**11. Other languages of instruction**

**11. (1) A board may authorize the use of French or any other language as a language of instruction.**

**11. (2) The Minister may make regulations governing the provision of instruction in any language authorized under subsection (1).**

1988 c. S-3.1 s. 6

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**Part 9 – Establishment and Dissolution of Francophone Education Rights**

**253. Establishment of Region**

**253. (1) The Minister may establish any portion of Alberta as a Francophone Education Region.**

**253. (2) The order establishing a Francophone Education Region shall describe the boundaries of the Region and give it a name and number in the following form:**

The \_\_\_\_\_ Francophone Education Region No. \_\_\_\_\_

1993 c. 24 s. 24

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**254. Effect of establishment**

**254. The establishment of a Francophone Education Region does not affect a public school district or division or a separate school district established in respect of all or part of the portion of Alberta in which the Francophone Education Region is established.**

1993 c. 24 s. 24



255. Regional authority

**255. (1) The Minister may by order establish a Regional authority for a Region, and the members of the Regional authority are a corporation under the name of:**

The Regional authority of \_\_\_\_\_ Francophone Education Region No. \_\_\_\_

**255. (2) A Regional authority must be composed of at least 3 members and not more than 7 members.**

**255. (2.1) Subject to subsection (2.2), the number of public school members of a Regional authority must, if practicable, be in the same proportion to the total number of members of the Regional authority as the total number of public school electors in the Region is to the combined total number of public school electors and separate school electors in the Region.**

**255. (2.2) A Regional authority must have at least one public school member and at least one separate school member.**

**255. (2.3) The Minister may appoint the first members of a Regional authority.**

**255. (3) Members of a Regional authority appointed under subsection (2.3) hold office until the first organizational meeting of the Regional authority held after the first general election held after the Regional authority is established.**

**255. (4) The board of a district or division required by the Minister to do so must enter into an agreement with the Regional authority respecting any matter the Minister considers necessary, including, but not limited to, dealing with assets and liabilities and the transfer of employees.**

**255. (5) If a board referred to in subsection (4) and the Regional authority do not enter into an agreement under subsection (4) within a period that the Minister considers reasonable, the Minister may make an order respecting any matter the Minister considers necessary.**

**R.S.A. 2000 c. S-3 s. 255; 2001 c. 27 s. 24**

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255.1 Public and Separate Regional authorities

**255.1 (1) If, within a Region, the public school electors exceed 30% of all public school electors and separate school electors and there are at least 500 students registered in the public schools, the Minister may dissolve the existing Regional authority and establish both a Public Regional authority and a Separate Regional authority.**

**255.1 (2) The members of the Public Regional authority established under subsection (1) are a corporation under the name of:**

The Regional authority of \_\_\_\_\_ Public Francophone Education Region No. \_\_\_\_

**255.1 (3) The members of the Separate Regional authority established under subsection (1) are a corporation under the name of:**

The Regional authority of \_\_\_\_\_ Separate Francophone Education Region No. \_\_\_\_\_

**255.1 (4) A Public Regional authority must be composed of at least 3 members, all of whom must be public school members.**

**255.1 (5) A Separate Regional authority must be composed of at least 3 members, all of whom must be separate school members.**

**2001 c. 27 s. 25**

---

## 255.2 Transitional

**255.2 (1) In this section, “amending Act” means the *School Amendment Act, 2001*.**

**255.2 (2) The members of a Regional authority established before the coming into force of sections 22 to 27 of the amending Act continue as members of the Regional authority until the next election of its members.**

**255.2 (3) The Regional authority of the Greater Southern Public Francophone Education Region No. 4 established before the coming into force of sections 22 to 27 of the amending Act is continued and deemed to be established as a Public Regional authority.**

**255.2 (4) The Regional authority of the Greater Southern Separate Catholic Francophone Education Region No. 4 established before the coming into force of sections 22 to 27 of the amending Act is continued and deemed to be established as a Separate Regional authority.**

**255.2 (5) Notwithstanding section 256(1.1), a separate school elector who has a child enrolled in a public school in the Greater Southern Public Francophone Region No. 4 may vote for a candidate who is standing for election as a public school member.**

**2001 c. 27 s. 25**

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## 255.5 Responsibility and authority of Regional authority

**255.5 (1) Subject to subsections (2) and (3), a Regional authority has the responsibility and authority to ensure that both minority language educational rights and the rights and privileges with respect to separate schools guaranteed under the Constitution of Canada are protected in the Region.**

**255.5 (2) Subject to subsection (3), the separate school members of a Regional authority have the responsibility and authority to ensure that the rights and privileges with respect to separate schools guaranteed under the Constitution of Canada are protected in the Region.**

**255.5 (3) If a Public Regional authority and a Separate Regional authority are established under section 255.1 or continued under section 255.2,**

**(a) the Public Regional authority has the responsibility and authority to ensure that minority language educational rights guaranteed under the Constitution of Canada are protected in the Region, and**

(b) the Separate Regional authority has the responsibility and authority to ensure that both minority language educational rights and the rights and privileges with respect to separate schools guaranteed under the Constitution of Canada are protected in the Region.

2001 c. 27 s. 25

---

256. Electors for Region

256. (1) For the purposes of this Act and the *Local Authorities Election Act*, an individual is eligible to vote in an election of members of a Regional authority if

(a) the individual

(i) is a Francophone,

N.B. – Once proclaimed, the *Education Act* will repeal the *School Act*.

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SEE ALSO:

[Mahe v. Alberta](#), 1985 CanLII 1199 (AB QB)

### [Certification of Teachers Regulation – School Act, Alta. Reg. 3/1999](#)

12. Refusal to issue, re-issue or extend

12. (1) The Registrar may refuse to issue or re-issue an interim professional certificate or extend the term of an interim professional certificate

(a) if the applicant

[...]

(v) in the Registrar's opinion, is not proficient in at least one of the official languages of Canada, or

AR 3/99 s12;213/2003

### [Disposition of Property Regulation – School Act, Alta. Reg. 181/2010](#)

1. Interpretation

1. (1) In this Regulation,

[...]

(b) “board” includes

(i) a Regional Authority of a Francophone Education Region, and

(ii) except in sections 2 to 7, an operator of a charter school;

---

## **Part 2 – Lease, Sale or Transfer of Real Property**

9. Method for sale of property

9. (1) If a board intends to sell

(a) an item of real property that has a value of more than \$50 000, or

(b) an item of personal property that has a value of more than \$10 0000,

the board must conduct the sale in accordance with this section.

[...]

9. (4) The board shall advertise the sale at least twice in a newspaper circulating in the district, division or Francophone Education Region prior to the sale.

### **[Home Education Regulation – School Act, Alta. Reg. 145/2006](#)**

#### **Schedule – Learning Outcomes for Students Receiving Home Education Programs That Do Not Follow the Alberta Programs of Study**

1. A basic education must provide students with a solid core program including language arts, mathematics, science and social studies.

### **[Private Schools Regulation – School Act, Alta. Reg. 190/2000](#)**

6. Right to hire non-certificated teachers

6. The operator of an accredited private school may employ a competent individual to teach a language, culture or religion in the school under the supervision of a teacher who holds a certificate of qualification as a teacher issued under the Act.

### **[Student Record Regulation – School Act, Alta. Reg. 225/2006](#)**

2. Information included in student record

2. (1) The student record of a student must contain all information affecting the decisions made about the education of the student that is collected or maintained by a board, regardless of the manner in which it is maintained or stored, including

[...]

(s) if the parent of the student is eligible to have the student taught in the French language pursuant to section 23 of the *Canadian Charter of Rights and Freedoms*, a

notation to indicate that and a notation to indicate whether the parent wishes to exercise that right, and

---

7. Disclosure of information

7. (5) A board shall, at the written request of a Regional authority for a Francophone Education Region, disclose

(a) the name, address, date of birth, sex and school of a student whose parents has been noted under section 2(1)(s) as being eligible to have the student taught in the French language pursuant to section 23 of the *Canadian Charter of Rights and Freedoms*, and

[...]

to the superintendent or to a person designated by the superintendent for the purpose of contacting the parent of the student and advocating for minority language education rights.

AR 225/2006 s7;229/2009;170/2012

[Security Services and Investigators Act, S.A. 2008, c. S-4.7](#)

48. Ministerial regulations

48. (1) The Minister may make regulations

[...]

(l) respecting the information that must be provided and conditions that must be met by an applicant for a licence or the renewal of a licence;

[Security Services and Investigators \(Ministerial\) Regulation – Security Services and Investigators Act, Alta. Reg. 55/2010](#)

5. Application for or renewal of licence

5. (1) An application for an individual licence must be accompanied by

[...]

(f) a statement that the applicant has sufficient fluency in the English language to be able to converse in English with the public while carrying out his or her duties;

AR 55/2010 s5;73/2015

**Settlement of International Investment Disputes Act, S.A. 2013, c. S-7.8**

**Schedule**

**(Section 1)**

**Convention on the settlement of investment disputes between states and Nationals of Other States**

Article 75

[...]

**DONE at Washington, in the English, French and Spanish languages, all three texts being equally authentic, in a single copy which shall remain deposited in the archives of the International Bank for Reconstruction and Development, which has indicated by its signature below its agreement to fulfil the functions with which it is charged under this Convention.**

**Societies Act, R.S.A. 2000, c. S-14**

39. Regulations

**39. The Lieutenant Governor in Council may make regulations**

[...]

**(f) respecting names of societies;**

**RSA 2000 cS-14 s39;2014 c8 s8**

**Societies Regulation – Societies Act, Alta. Reg. 122/2000**

10. Permitted characters in name

**10. (1) The name of a society may contain only the following:**

**(a) letters of the alphabet of the English language;**

**(b) Arabic numerals;**

**(c) The following punctuation or other marks:**

[...]

**(d) Any combination of letters, numerals and marks referred to in clauses (a), (b) and (c).**

10. (2) The first character of the name of a society must be an Arabic numeral or an alphabetic letter of the English language.

---

11. Prohibited names

11. (1) No society may have a name that contains either of the following:

(a) A word or expression in any language, that is obscene or connotes a business that is scandalous, obscene or immoral or that is otherwise objectionable on public grounds;

### [Ukrainian-Canadian Heritage Day Act, S.A. 2016, c. U-0.3](#)

Preamble

[...]

WHEREAS 2016 marks the 40<sup>th</sup> anniversary of both the Ukrainian bilingual education program in Alberta and the Canadian Institute of Ukrainian Studies;

[...]

### [Vital Statistics Act, S.A. 2007, c. V-4.1](#)

77. Ministerial regulations

77. The Minister may make regulations

[...]

(c) respecting the information, registration documents and records to be delivered to the Registrar or to other persons;

2007 cV-4.1 s77;2016 c26 s58

### [Vital Statistics Information Regulation – Vital Statistics Act, Alta. Reg. 3/2012](#)

32. Translation

32. (1) Where a document required for the purposes of this Regulation is in a language other than English, the applicant must provide

(a) an English translation acceptable to the Registrar, and

(b) the notarized affidavit of the translator stating that the translation is accurate.

32. (2) The expense of providing an English translation of a document and the notarized affidavit of the translator is to be borne by the applicant.

**Vital Statistics Ministerial Regulation – Vital Statistics Act, Alta. Reg. 12/2012**

16. Translation

16. (1) Where a document required for the purposes of this Regulation is in a language other than English, the applicant must provide

- (a) an English translation acceptable to the Registrar, and
- (b) the notarized affidavit of the translator stating that the translation is accurate.

16. (2) The expense of providing an English translation of a document and the notarized affidavit of the translator is to be borne by the applicant.

**Wills and Succession Act, S.A. 2010, c. W-12.2**

**Schedule – Convention Providing a Uniform Law on the Form of an International Will**

Article I

2. Each Contracting Party may introduce the provisions of the Annex into its law either by reproducing the actual text, or by translating it into its official language or languages.

Article V

1. The conditions requisite to acting as a witness of an international will shall be governed by the law under which the authorized person was designated. The same rule shall apply as regards an interpreter who is called upon to act.

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**Annex – Uniform Law on the Form of an International Will**

Article 3

3. It may be written in any language, by hand or by any other means.

**Alberta – Other Regulations**

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**Alberta Rules of Court – Judicature Act, Alta. Reg. 124/2010**

9.43 Affidavit in support of application for order to register conventional judgment

**9.43 (2) The affidavit referred to in subrule (1) must have attached to it**

**(a) a certified copy of the convention judgment and, where applicable, a translation into English authenticated by affidavit or any other method acceptable to the Court;**

---

11.32 Procedure for service

**11.32 If the court clerk receives a written request from a court of tribunal in a foreign country to serve on a person in Alberta a process or citation in respect of a civil or commercial matter, the following rules apply:**

**[...]**

**(b) if the request, process or citation is not in the English languages, 2 copies of an English translation of any document that is not in the English language must be provided to the court clerk;**

---

13.23 Understanding affidavit

**13.23 (1) If it seems to the person administering the oath that the person swearing a written affidavit does not understand the language in which the affidavit is written, before the affidavit is sworn the contents of the affidavit must be translated for the person swearing the affidavit by a person competent to do so.**

**13.23 (2) Before the affidavit is translated, the translator must be sworn to accurately translate the affidavit and oath.**

**13.23 (3) The person administering the oath must certify as to the person's belief that the affidavit was translated for the person swearing the affidavit by the sworn translator.**

**13.23 (4) Unless otherwise permitted by the Court, a sworn affidavit that is not in the English language must be translated into English by a translator competent to do so and, when the affidavit is filed, be accompanied with a certificate of the translator that the translation is accurate and complete.**

**Surrogate Rules – Judicature Act, Alta. Reg. 130/1995**

17. Proving signing of will

**17. If the deceased at the time a will was made**

**[...]**

**(a) did not fully understand English,**

[...]

the applicant must satisfy the court that the deceased and the witnesses were present when the will was signed, that the will was fully explained to the deceased and that the deceased appeared to the witnesses to fully understand the will.

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18. Will not in English

18. If a will is written in a language other than English, the applicant must give an affidavit in Form NC 10 verifying the will's translation into English.

**Chartered Professional Accountants Regulation – Chartered Professional Accountants Act, Alta. Reg. 84/2015**

10. Application for registration as a member by an applicant with a recognized accounting designation outside of Canada

10. For the purposes of section 38(2)(c) of the Act, if an applicant for registration as a member of the CPAA holds an accounting designation from an organization outside Canada that regulates accounting and is recognized by the board as having substantially equivalent competence, experience and practice requirements,

(a) through a mutual recognition agreement, reciprocal membership agreement, memorandum of understanding or similar agreement, or

(b) following a review by the board or a body approved by the board,

the applicant must provide satisfactory evidence to the registrar that the applicant has met the competence requirements referred to in section 38(1)(a) of the Act by providing evidence that the applicant

[...]

(g) has met the language proficiency requirements established by the board, and

**Child, Youth and Family Enhancement Regulation – Child, Youth and Family Enhancement act, Alta. Reg. 160/2004**

**Form 8 – Home Study Report for Private Guardianship**

To prepare the Home Study Report, provide information under each heading below.

**Part 1: Applicant's Information**

Provide information about EACH applicant.

[...]

**Languages spoken**

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SEE ALSO:

[Residential Facilities Licensing Regulation – Child, Youth and Family Enhancement Act, Alta Reg 161/2004](#), Schedule, Part 1: Applicant's Information.

[Designation and Transfer of Responsibility Regulation – Government Organization Act, Alta. Reg. 80/2012](#)

13. Justice and Solicitor General

13. (1) The responsibility for the following enactments is transferred to the Minister of Justice and Solicitor General:

[...]

(yy) *Languages Act/Loi linguistique*;

AR 80/2012 s13;81/2012;107/2013;8/2014;45/2014;

110/2015;50/2016;5/2017;152/2017

[Identification Card Regulation – Government Organization Act, Alta. Reg. 221/2003](#)

3. Application

3. (4) For the purposes of subsection (3), an applicant's last name and first name

(a) must be expressed in letters of the alphabet of the English language,

[Off-highway Vehicle Regulation – Traffic Safety Act, Alta. Reg. 319/2002](#)

13. Form of application

13. (1) A person shall apply for the registration of an off-highway vehicle in a form and manner approved by the Registrar.

[...]

13. (4) A person's last name and first name

(a) must be expressed in letters of the alphabet of the English language;

**Operator Licensing and Vehicle Control Regulation – Traffic Safety Act,  
Alta. Reg. 320/2002**

10. Application

10. (1) A person who is a resident of Alberta and who wishes to operate a motor vehicle on a highway in Alberta must apply to the Registrar for an operator's licence in the form and manner approved by the Registrar.

[...]

10. (3) The following information about the applicant must be included in an application for an operator's licence:

- (a) last name and first name expressed in accordance with subsection (4);
- (b) postal address;
- (c) physical address;
- (d) telephone number, if any;
- (e) sex;
- (f) date of birth;
- (g) hair and eye colour;
- (h) height and weight;
- (i) a disease or disability that may be expected to interfere with the applicant's safe operation of a motor vehicle.

10. (4) For the purposes of subsection (3), a person's last name and first name

- (a) must be expressed in letters of the alphabet of the English language,

AR 320/2002 s10;161/2006

**Public Interest Disclosure (Whistleblower Protection) Regulation – Public  
Interest Disclosure (Whistleblower Protection) Act, Alta. Reg. 71/2013**

2. (1) For the purposes of section 2(1) of the Act, the following are designated as public entities to which the Act applies:

- (a) a Provincial corporation as defined in section 1(1)(r)(i) or (ii) of the *Financial Administration Act*;
- (b) an entity designated in Schedule 1.

2. (2) The chief officer for a public entity is

(a) the individual designated in Schedule 2, or

(b) if no individual has been so designated, the individual charged with the administration and operation of the public entity.

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## **Schedule 1 – Public Entities [Section 2(1)(b)]**

1. Education sector

1. The following are designated as public entities in the education sector to which the Act applies:

[...]

(b) the regional authority of a Francophone Education Region under the *School Act*;

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## **Schedule 2 – Chief Officers [Section 2(2)]**

1. Education sector

1. The following are prescribed as chief officers for public entities in the education sector:

[...]

(b) the superintendent of the regional authority of a Francophone Education Region under the *School Act*;

## **[Veterinary Profession General Regulation – Veterinary Profession Act, Alta. Reg. 44/1986](#)**

### **Part 1 – Registration**

2. Registration requirements

2. No person shall be approved for registration as a registered member unless the person provides the Registration Committee with the following:

[...]

(e) a notarized translation of any document that is not in English;

AR 44/86 s2;58/2012;9/2017

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8. Technologists

**8. (2.3) No person except an individual who is registered under subsection (2) or (2.01) as a registered veterinary technologist shall use**

**(a) the title “registered veterinary technologist” or “registered animal health technologist”, or**

**(b) a variation or abbreviation of either of those titles or an equivalent in another language.**

**AR 44/86 s8;231/95;58/2012;9/2017**