



Province of Alberta

OCCUPATIONAL HEALTH AND SAFETY ACT

ADMINISTRATIVE PENALTY (OCCUPATIONAL HEALTH AND SAFETY ACT) REGULATION

Alberta Regulation 165/2013

Extract

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Alberta Queen's Printer
5th Floor, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668
E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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HEALTH AND SAFETY ACT) REGULATION**

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Definition

1 In this Regulation, “Act” means the *Occupational Health and Safety Act*.

Notice of administrative penalty

2 A notice of administrative penalty must contain the following information:

- (a) the name of the regulated person who is required to pay the administrative penalty;
- (b) an identification of
 - (i) the provision of the Act, the regulations or the adopted code that was contravened, or
 - (ii) the order or the term or condition of the approval or acceptance that was not complied with,whichever is applicable;
- (c) a brief description of the nature of the contravention or failure to comply identified under clause (b);
- (d) the amount of the administrative penalty;
- (e) the date the notice of administrative penalty is issued;

- (f) the date by which the administrative penalty must be paid;
- (g) a statement describing the right to appeal to the Council under section 16 of the Act and particulars of how the appeal is to be made and the time within which it must be made.

Amount of administrative penalty

3(1) Subject to section 40.3(3) of the Act, the amount of an administrative penalty for a contravention or a failure to comply is the amount set in accordance with this section by the officer giving the notice of administrative penalty.

(2) In setting the amount of an administrative penalty for a contravention or a failure to comply, an officer shall consider

- (a) the seriousness of the contravention or failure to comply, and
- (b) the risk of harm resulting from the contravention or failure to comply

and may consider any other factor the officer considers relevant.

Time for payment

4(1) Subject to any stay that is in effect under section 16(7.1) or (9) of the Act, a regulated person who is required to pay an administrative penalty shall pay the amount of the administrative penalty on or before the date specified in the notice of administrative penalty.

(2) The date referred to in subsection (1) must be one that is at least 30 days after the day on which the notice of administrative penalty is served.

Expiry

5 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 1, 2023.

Coming into force

6 This Regulation comes into force on the coming into force of section 2(2), (6), (7), (9)(b) and (10) of the *Protection and Compliance Statutes Amendment Act, 2012*.



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