

LAL/IL/2012-01

INFORMATION LETTER

November 21, 2012

LAND AGENTS LICENSING REGULATION AMENDMENTS

The Government of Alberta has made administrative changes to the licensing of Land Agents to ensure land owners are dealing with accredited and professional land agents.

Government approved changes to regulations that will provide greater flexibility in the trainee licensing process. It will ensure landowners are fully aware that they are dealing with a licensed land agent under the *Land Agents Licensing Act* when negotiating the disposal of an interest in their land. Enclosed is a consolidated copy of the Regulation, which includes the amendments.

None of these changes will impact land owner rights.

The Amendment Regulation will provide clarification and a level of protection to landowners by deterring unlicensed land agents from conducting land agent activities. Specifically, these amendments:

- Clarify who qualifies to be a trainer and supervisor of a land agent trainee. If a trainer is a corporation, the corporation must satisfy the Registrar of Land Agents that they have the capacity to train a trainee under the supervision of one or more permanent land agent licensees. If the trainer is an individual, the individual must be a permanent land agent licensee.
- Improve the licensing process by adding a time limit of 14 days, within which the trainer must file a performance evaluation of the trainee with the Registrar.
- Establish a formal land agent identification card and require land agents to identify themselves by carrying such identification, producing it at the first available opportunity to landowners when negotiating for interests in land.
- Extend the current Regulation's expiry date to November 30, 2017 in order to allow the Land Agent Licensing Unit to continue its legislative responsibilities, and meet the Regulatory Review Secretariat's review requirements.

These administrative changes were made after extensive consultations with the Land Agents Advisory Committee which also agrees with them. This committee has representation from major landowners and land agent interest groups as well as the Energy Resources Conservation Board and the Farmers' Advocate's office.

Alberta is a national leader in this field. We are the only province to legislate land agents to ensure they are professional and highly trained. This is done to safeguard land owner interests and make certain negotiations by industry are properly regulated.

Please visit the Land Agents Licensing website at www.eae.alberta.ca/lal for updated forms and information. This letter has been provided for information. The Land Agents Licensing Regulation can be reviewed online and contains the most current information.

For more information visit the Land Agents Licensing website at www.eae.alberta.ca/lal or contact the Land Agents Licensing office at:

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for Adrian Pritchard
Registrar of Land Agents Licensing

Enclosures

APPENDIX

Land Agents Licensing Act

LAND AGENTS LICENSING AMENDMENT REGULATION

1 The *Land Agents Licensing Regulation (AR 227/2001)* is amended by this Regulation.

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

(h) “trainer” means a corporation or an individual that meets the requirements of section 3.1(5) and provides training for a trainee to become a permanent land agent;

3 Section 3.1 is amended

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

(i) an undertaking by the trainer to ensure that the trainee will work under the supervision of one or more permanent land agent licensees who meet the requirements set out in subsection (6),

(b) in subsection (1)(a)(iii)

(i) by adding “in accordance with subsection (4)” after “evaluation”;

(ii) by adding “one or more” before “permanent”;

(c) by adding the following after subsection (3):

(4) A trainer must complete and file with the Registrar a performance evaluation of the trainee within 14 days of the expiry or termination of the training agreement or within such other period approved by the Registrar.

(5) A trainer must,

(a) in the case of a corporation, satisfy the Registrar that it has the capacity to train a trainee under the supervision of one or more permanent land agent licensees who meet the requirements of subsection (6), or

(b) in the case of an individual, be a permanent land agent licensee who meets the requirements of subsection (6).

(6) A permanent land agent licensee who supervises a trainee under a training agreement must have been actively involved in land agent work and have held a permanent land agent licence for at least 3 years immediately preceding the date the licensee commences supervision of the trainee.

4 Section 5(1)(a) is amended by striking out “section 3.1(1)(a)(i)” and substituting “section 3.1(6)”.

5 The following is added after section 6:

Identification

6.1(1) A land agent must carry identification issued by the Registrar containing the information provided for in Schedule 4 while engaging in the activities of a land agent.

(2) A land agent must

(a) at the commencement of negotiations for an interest in land, advise the owner or owner’s agent that the land agent is licensed under the *Land Agents Licensing Act* and must indicate the licence number and the class of licence held by the land agent, and

(b) produce the identification referred to in subsection (1) for inspection

(i) by the owner or the owner’s agent at the first opportunity after negotiations commence, or

(ii) by any other person who requests to see it.

6 Section 10.1(4) is repealed.

7 Section 12 is amended by striking out “2012” and substituting “2017”.

8 Schedule 1.1 is amended by striking out section 1(3) and substituting the following:

(3) The permanent land agents named in subsection (2) held a valid permanent land agent licence and were actively involved in land agent work for at least 3 years immediately preceding the date the permanent land agents commenced supervision of (interim land agent).

9 The following is added after Schedule 3:

**Schedule 4
(Section 6.1)**

Land Agent's Identification Card

- 1** The land agent's identification card must include the following:
 - (a) the signature of the land agent;
 - (b) the full name of the land agent;
 - (c) the class of licence held by the land agent;
 - (d) the number of the licence held by the land agent;
 - (e) the expiry date of the licence;
 - (f) the signature of the Registrar.