

Fourth Protocol of Amendment

The undersigned, Parties to the Agreement on Internal Trade, hereby agree to make the additions, revisions and corrections indicated below.

Note: All changes relate to both the English and French versions of the Agreement, except where noted.

1. Chapter Five (Procurement)

1.1 Annex 502.1A - Government Entities Covered by Chapter Five

Delete the entities and titles listed in Column (A) and add the entities and titles listed in Column (B).

Column (A) To be deleted from Annex 502.1A	Column (B) To be added to Annex 502.1A
Alberta	
Government Departments and the Legislative Assembly	Government Departments and the Legislative Assembly
Advanced Education and Career Development	Learning
Education	Learning
Economic Development and Tourism	Economic Development
Energy	Resource Development
Environmental Protection	Environment
Family and Social Services	Human Resources and Employment
Executive Council	Premier and President of Executive Council
Federal and Intergovernmental Affairs	International and Intergovernmental Relations
Health	Health and Wellness
Labour	Human Resources and Employment
Public Works, Supply and Services	Alberta Infrastructure
Transportation and Utilities	Alberta Infrastructure
	Children Services
	Corporate Services Centre
	Gaming

<p style="text-align: center;">Column (A) To be deleted from Annex 502.1A</p>	<p style="text-align: center;">Column (B) To be added to Annex 502.1A</p>
	Government Services
	Innovation and Science
<p>Provincial Agencies</p>	<p>Provincial Agencies, Boards, Councils, Committees and Commissions</p>
<p><i>Agriculture, Food and Rural Development</i> Agricultural Financial Services Corporation</p>	<p><i>List Entity under Agriculture, Food and Rural Development</i> Agriculture Financial Services Corporation</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Agricultural Products Marketing Council</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Alberta Grain Commission</p>
<p><i>Economic Development and Tourism:</i> The Alberta Opportunity Company</p>	<p><i>List Entity under Agriculture, Food and Rural Development</i> Alberta Opportunity Company</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Farm Implement Act Board</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Farmers' Advocate</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Irrigation Appeal Board</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Irrigation Council</p>
	<p><i>List Entity under Agriculture, Food and Rural Development</i> Surface Rights and Land Compensation Board</p>
	<p><i>List Entity under Children's Services</i> Children's Advocate</p>

<p align="center">Column (A) To be deleted from Annex 502.1A</p>	<p align="center">Column (B) To be added to Annex 502.1A</p>
	<p><i>List Entity under Children's Services</i> Child and Family Services Authorities</p> <ul style="list-style-type: none"> - Sun Country - Southeast Alberta - Windsong - Calgary Rocky View - Hearthstone - Diamond Willow - Ribstone - West Yellowhead - Keystone - Ma' Mowe - Sakaw-Askiy - Sakaigun - Regions 13 and 14 - Neegan Awas'sak - Awasak - Silver Birch - Metis Settlements
	<p><i>List Entity under Children's Services</i> Social Care Facilities Review Committee</p>
	<p><i>List Entity under Children's Services</i> Youth Secretariat</p>
<p><i>Community Development</i> The Alberta Historical Resources Foundation</p>	<p><i>List Entity under community Development</i> Alberta Historical Resources Foundation</p>
	<p><i>List Entity under Community Development</i> Alberta Human Rights & Citizenship Commission</p>
	<p><i>List Entity under Community Development</i> Alberta Order of Excellence Council</p>
<p><i>Community Development</i> The Government House Foundation</p>	<p><i>List Entity under Community Development</i> Government House Foundation</p>
<p><i>Community Development</i> Alberta Multiculturalism Commission</p>	<p><i>List Entity under Community Development</i> Human Rights, Citizenship and Multiculturalism Education Fund Committee</p>
	<p><i>List Entity under Community Development</i> Seniors Advisory Council of Alberta</p>
<p><i>Health</i> The Wild Rose Foundation</p>	<p><i>List Entity under Community Development</i> Wild Rose Foundation</p>
<p><i>Community Development</i> Glenbow Alberta Institute Glenbow Foundation</p>	
<p><i>Economic Development and Tourism</i> Alberta Motion Picture Development Corporation</p>	
<p><i>Economic Development and Tourism</i> Tourism Education Council</p>	
	<p><i>List Entity under Economic Development</i> Alberta Economic Development Authority</p>

<p style="text-align: center;">Column (A) To be deleted from Annex 502.1A</p>	<p style="text-align: center;">Column (B) To be added to Annex 502.1A</p>
<p><i>Environmental Protection</i> Alberta Environmental Research Trust</p>	
<p><i>Environmental Protection</i> Alberta Special Waste Management Corporation</p>	
<p><i>Environmental Protection</i> Environmental Council of Alberta</p>	
	<p><i>List Entity under Environment</i> Advisory Committee on Climate Change</p>
	<p><i>List Entity under Environment</i> Advisory Committee on Environmental Protection</p>
	<p><i>List Entity under Environment</i> Alberta Environmental Centre Advisory Council</p>
	<p><i>List Entity under Environment</i> Alberta Forest Research Advisory Council</p>
	<p><i>List Entity under Environment</i> Bow River Water Quality Council</p>
	<p><i>List Entity under Environment</i> Buffalo Lake Management Team</p>
	<p><i>List Entity under Environment</i> Cold Lake Regional Water Management Task Force</p>
	<p><i>List Entity under Environment</i> Drainage Districts Council</p>
	<p><i>List Entity under Environment</i> Endangered Species Conservation Committee</p>
	<p><i>List Entity under Environment</i> Environmental Appeal Board</p>
	<p><i>List Entity under Environment</i> Handicapped Hunter Review Committee</p>
	<p><i>List Entity under Environment</i> Kananaskis Country Interdepartmental Committee</p>
	<p><i>List Entity under Environment</i> Land Agent Advisory Committee</p>
	<p><i>List Entity under Environment</i> Natural Heritage Act Review Committee</p>
<p><i>Executive Council</i> Natural Resources Conservation Board</p>	<p><i>List Entity under Environment</i> Natural Resources Conservation Board</p>
	<p><i>List Entity under Environment</i> Oldman River Dam Environmental Advisory Committee</p>
	<p><i>List Entity under Environment</i> Pembina River Advisory Committee</p>

<p style="text-align: center;">Column (A) To be deleted from Annex 502.1A</p>	<p style="text-align: center;">Column (B) To be added to Annex 502.1A</p>
	<p><i>List Entity under Environment</i> Red Deer River Fisheries Management Advisory Committee</p>
	<p><i>List Entity under Environment</i> Special Place 2000 Provincial Coordinating Committee</p>
	<p><i>List Entity under Environment</i> Sustainable Development Coordinating Council</p>
	<p><i>List Entity under Environment</i> Sylvan Lake Advisory Committee</p>
	<p><i>List Entity under Environment</i> Water and Wastewater Operator Certification Board</p>
<p><i>Environmental Protection</i> Tire Recycling Management Board</p>	<p><i>List Entity under Environment</i> Tire Recycling Management Association</p>
	<p><i>List Entity under Gaming</i> Community Lottery Board Secretariat</p>
	<p><i>List Entity under Gaming</i> Gaming Institute</p>
	<p><i>List Entity under Health and Wellness</i> Alberta Advisory committee on AIDS</p>
<p><i>Health</i> Alberta Alcohol and Drug Abuse Commission</p>	<p><i>List Entity under Health and Wellness</i> Alberta Alcohol and Drug Abuse Commission</p>
<p><i>Health</i> Health Facilities Review Committee</p>	<p><i>List Entity under Health and Wellness</i> Alberta Health Facilities Review Committee</p>
	<p><i>List Entity under Health and Wellness</i> Mental Health Review Panels</p>
	<p><i>List Entity under Health and Wellness</i> Public Health Advisory and Appeal Board</p>
	<p><i>List Entity under Health and Wellness</i> Persons with Development Disabilities Provincial Board</p>
	<p><i>List Entity under Health and Wellness</i> Premier's Council on the Status of Persons with Disabilities</p>
	<p><i>List Entity under Human Resources and Employment</i> Personnel Administration Office</p>
	<p><i>List Entity under Human Resources and Employment</i> Labour Relations Board</p>

<p align="center">Column (A) To be deleted from Annex 502.1A</p>	<p align="center">Column (B) To be added to Annex 502.1A</p>
	<p><i>List Entity under Human Resources and Employment</i> Appeals Panels under:</p> <ul style="list-style-type: none"> - Assured Income for Severely Handicapped Act - Dependent Adults Act - Social Care Facilities Licensing Act - Social Development Act - Widows Pension Act
	<p><i>List Entity under Alberta Infrastructure</i> Motor Transport Board</p>
	<p><i>List Entity under Alberta Infrastructure</i> Driver Control board</p>
	<p><i>List Entity under Alberta Infrastructure</i> School Buildings Board</p>
<p><i>Public Works, Supply and Services</i> Alberta Racing Commission</p>	
<p><i>Transportation and Utilities</i> Alberta Resource Railway Corporation</p>	
<p><i>Agriculture, Food and Rural Development</i> Alberta Agricultural Research Institute</p>	<p><i>List Entity under Innovation and Science</i> Alberta Agricultural Research Institute</p>
	<p><i>List Entity under Innovation and Science</i> Alberta Heritage Foundation for Medical Research</p>
	<p><i>List Entity under Innovation and Science</i> Alberta Heritage Foundation for Science and Engineering Research</p>
	<p><i>List Entity under Innovation and Science</i> Alberta Oil Sands and Technology and Research Authority</p>
<p><i>Economic Development and Tourism</i> Alberta Research Council</p>	<p><i>List Entity under Innovation and Science</i> Alberta Research Council</p>
	<p><i>List Entity under Innovation and Science</i> Alberta Science, Research and Technology Authority</p>
	<p><i>List Entity under Innovation and Science</i> ICORE (Informatics Circle of Research Excellence)</p>
	<p><i>List Entity under Justice and Attorney General</i> Alberta Law Foundation</p>
	<p><i>List Entity under Justice and Attorney General</i> Alberta Review Board</p>
	<p><i>List Entity under Justice and Attorney General</i></p>

<p align="center">Column (A) To be deleted from Annex 502.1A</p>	<p align="center">Column (B) To be added to Annex 502.1A</p>
	Criminal Injuries Appeal Board
	<i>List Entity under Justice and Attorney General</i> Fatality Review Board
	<i>List Entity under Justice and Attorney General</i> Law Enforcement Review Committee
	<i>List Entity under Justice and Attorney General</i> Notaries Public Review Committee
	<i>List Entity under Justice and Attorney General</i> Victims of Crime Programs Committee
<p><i>Municipal Affairs</i> Alberta Mortgage and Housing Corporation</p>	
	<i>List Entity under Premier and President of</i> <i>Executive Council</i> Public Affairs Bureau
<p><i>Energy</i> Alberta Electric Energy marketing Agency</p>	
<p><i>Energy</i> Alberta Petroleum Marketing Commission</p>	
<p><i>Energy</i> 540540 Alberta Ltd.</p>	
<p><i>Executive Council</i> Energy and Utilities Board</p>	<i>List Entity under Resource Development</i> Alberta Energy and Utilities Board
	<i>List Entity under Resource Development</i> Northern Alberta Development Council
<p><i>Treasury</i> Alberta Insurance Council</p>	<i>List Entity under Treasury</i> - General Insurance Council - Insurance Adjusters Council - Life Insurance Council
	<i>List Entity under Treasury</i> Alberta Automobile Insurance Board
	<i>List Entity under Treasury</i> Alberta Securities Commission
	<i>List Entity under Treasury</i> Alberta Pension Administration Corporation - Local Authorities Pension Plan Board of Trustees - Management Employees Pension Board - Public Service Pension Board - Special Forces Pension Board - Universities Academic Pension Board
	Commercial Enterprises
<p><i>Labour</i> The Workers' Compensation Board</p>	<i>List Entity under Human Resources and</i> <i>Employment</i> The Workers' Compensation Board
<p><i>Municipal Affairs</i></p>	

Column (A) To be deleted from Annex 502.1A	Column (B) To be added to Annex 502.1A
Alberta Liquor Control Board	
<i>Treasury</i> The Alberta General Insurance Company	
	<i>List Entity under Treasury</i> N.A. Properties (1994) Ltd.
<i>Treasury</i> SC Properties Ltd. 391760 Alberta Ltd.	
<i>Treasury</i> 496072 Alberta Ltd. And NFI Finance, Inc.	<i>List Entity under Treasury</i> NFI Finance Inc.
	Crown-Controlled Corporation
	<i>List Entity under Gaming</i> Alberta Gaming and Liquor Commission
	<i>List Entity under Treasury</i> Alberta Treasury Branches
<i>Treasury</i> North West Trust company	
<i>Treasury</i> 354713 Alberta Ltd.	
Quebec	
Bureau de révision en immigration	Tribunal administratif du Québec
Commission des affaires sociales	Tribunal administratif du Québec
Commission d'examen (soins psychiatriques)	Tribunal administratif du Québec
Tribunal d'appel en matière de protection du territoire agricole	Tribunal administratif du Québec
	Motus Technologie

1.2 Annex 502.2A - Government Entities Excluded from Chapter Five

Delete the entities and titles listed in Column (A) and add the entities and titles listed in Column (B).

Column (A) To be deleted from Annex 502.2A	Column (B) To be added to Annex 502.2A
Quebec	
Motus Technologie	

1.3 Annex 502.2B - Government Entities Covered by Non-Intervention Commitment

Delete the entities and titles listed in Column (A) and add the entities and titles listed in Column (B).

Column (A) To be deleted from Annex 502.2B	Column (B) To be added to Annex 502.2B
Manitoba	
Manitoba Telephone System	

2. Chapter Eight (Consumer Related Measures and Standards)

2.1 Article 808: Cooperation on Consumer-Related Measures and Standards

Replace "Consumer Measures Committee" with "Committee on Consumer-Related Measures and Standards" in the English version.

2.2 Article 809: Committee on Consumer-Related Measures and Standards

Delete paragraph 2(d).

2.3 Article 809P4: Consultations

Between Articles 809 and 810, add a new Article 809P4 to read as follows:

“1. Each Party shall designate a contact point for receiving complaints from another Party.

2. A Party may request consultations with another Party regarding any actual measure that it considers is, or would be, inconsistent with the other Party's obligations under this Chapter.

3. A Party receiving a request shall enter into consultations within 60 days of receiving the request from the other Party.

4. If within 90 days of having received a request, or any other period mutually agreed upon by the Parties, the matter has not been resolved, a Party may refer the matter to the Committee on Consumer-Related Measures and Standards.

5. The Committee on Consumer-Related Measures and Standards shall attempt to resolve the matter through any means it deems appropriate.

6. If within 120 days of having received a request, or any other period mutually agreed upon by the Parties, the Committee on Consumer-Related Measures and Standards has not resolved the matter, the consulting Party may refer the matter to Ministers responsible for consumer related measures and standards.

7. Where a request for the assistance of ministers responsible for consumer related measures and standards (the Ministers) has been submitted by a Party, the Ministers will attempt to resolve the matter through conciliation or mediation or by making such other recommendations as may assist the consulting Parties.

8. Each Party shall be responsible for its own costs incurred during the consultations process.

9. Where the assistance of the Ministers has not resolved the matter to the satisfaction of the Party within 90 days of the matter having been first referred to the Ministers, or within such other period as the Parties concerned may agree, recourse may be had to Chapter Seventeen (Dispute Resolution Procedures).".

3. Chapter Ten (Alcoholic Beverages)

Article 1010: Non-Conforming Measures

- a. Delete paragraph 2.
- b. Delete paragraph 4.

4. Chapter Seventeen (Dispute Resolution Procedures)

4.1 Annex 1701.4: Dispute Avoidance and Resolution Processes in Sector Chapters

Between paragraphs (b) and (c), add a new paragraph (bP4) to read as follows:

“(bP4) for Chapter Eight (Consumer-Related Measures and Standards), 90 days after date of delivery of the request for the assistance of the ministers responsible for consumer-related measures and standards under Article 809P4(6).”.

4.2 Article 1702: Consultations

Delete the period at the end of paragraph 1(b) and add:

“; or

- (c) the complaining Party in its sole discretion may decide to proceed directly under Article 1703 if consultations have already taken place using a dispute avoidance and resolution procedure provided in the chapter selected under Article 1701(2).”.

4.3 Article 1703: Assistance of Committee

In paragraph 1(a), replace the semi-colon by:

“or where the complaining Party has proceeded directly under this Article by virtue of Article 1702(1)(c);”.

4.4 Article 1704: Request for Panel

Between paragraphs 2 and 3, add the following new paragraph 2P4:

“2P4. Where a dispute avoidance and resolution procedure provided in the chapter selected under Article 1701(2) provides for the assistance of Ministers, and that assistance has taken place, the complaining Party in its sole discretion may make a written request to the Committee for the establishment of a panel.”.

4.5 Article 1705: Establishment of a Panel

In paragraph 2, replace “two panellists” with “one panellist”; and “were” with “was”.

4.6 Article 1706: Panel Rules of Procedure

- a. Number the current text of Article 1706 as paragraph 1 and add the following new paragraphs:

“2. A panel may seek information and expert advice from any person or body that it considers appropriate, provided that the disputing Parties so agree and subject to such terms and conditions as the disputing Parties may agree.

3. All proceedings before a panel shall be dealt with as informally and expeditiously as the circumstances and considerations of fairness permit.

4. The Parties shall make every effort to avoid parallel proceedings regarding the same measure. Should multiplicity of proceedings become an issue, any Party may refer the matter to the Committee for consideration and action which could include amendment of the Rules.”.

- b. In paragraph 2, further amend the text as follows:

- i. replace the text “subject to such terms and conditions” with “subject to the

following and to such other terms and conditions”; and

ii. add the following:

“(a) For greater certainty, a panel may seek legal advice on procedural issues without the prior agreement of the disputing Parties. For any matter other than legal advice on procedural issues, the panel shall first seek information from the disputing Parties on the matter. If the information does not resolve the matter, the panel may request the approval of the Parties for the use of legal or other outside experts for any matter other than legal advice on procedural issues.

(b) A Party that objects to the use of legal or other outside experts by a panel shall provide written reasons for its objection.”.

4.7 Annex 1706.1 (Panel Rules of Procedure)

a. In Rule 2, add the following text between the definitions of “documents” and “panel”:

“**intervenor** means a participating Party which is not a disputant but fulfills the requirements for participation in a dispute under Articles 1704(9) and 1704(10) of the Agreement;”.

b. Between Rule 21 and Rule 22, add the following new Rule 21P4:

“21P4. The panel shall make the participants’ written submissions available to the public no later than at the beginning of the panel hearings, except those parts of the written submissions that contain proprietary or confidential information as specified in Rule 18.”.

c. Replace Rule 31 with the following:

“31. The written submissions of the other participants shall be filed with the Secretariat,

(a) in the case of a Party that is entitled to join the panel proceedings under Article 1704(9) and that has filed a Notice of Appearance under Rule 27, within 21 days after the initial written submission has been filed with the Secretariat, and

(b) in the case of the Party complained against, within 45 days after the initial written submission has been filed with the Secretariat,

and the Secretariat shall forward copies of the written submissions to each of the participants.”.

d. In Rule 34, add “within 30 days of receipt of the last written submission,” between “hearing” and “and”.

e. In Rule 51, delete all text following “duties as panellists” and replace it with the following:

“including costs incurred by the panel for retaining legal counsel to provide advice on procedural issues.”.

f. In Rule 53, add the following sentence to the end of the paragraph:

“In no instance shall a Party pay more than 50% of the operational costs.”.

4.8 Article 1709: Non-Implementation - Publicity

a. Add the following new paragraph 4:

“4. Where the Party complained against has complied with the recommendations set out in the panel report or has agreed with the complaining Party on a mutually satisfactory resolution of the dispute, the Secretariat shall make the panel report public upon expiry of the time period set out in Article 1708(1) or Article 1709(2). Where the disputing Parties mutually agree, the Secretariat may make the panel report public prior to the expiry of the time period set out in Article 1708(1) or Article 1709(2).”.

4.9 Article 1715: Assistance of Committee

In paragraph 1(a), replace the semi-colon by:

“or where the person has proceeded directly under this Article by virtue of consultations having already taken place using a dispute avoidance and resolution procedure provided in the chapter selected under Article 1701(2);”.

4.10 Article 1716: Request for Panel

Between paragraphs 2 and 3, add the following new paragraph 2P4:

“2P4. Where a dispute avoidance and resolution procedure provided in the chapter selected under Article 1701(2) provides for the assistance of Ministers, and that assistance has taken place, the person in its sole discretion may make a written request to the Committee for the establishment of a panel.”.

4.11 Article 1717: Establishment of Panel

In paragraph 1, replace “two panellists” with “one panellist”; and “panellists” with “a panellist”.

4.12 Article 1719: Implementation of Panel Report

Add the following new paragraph 4:

“4. The Secretariat shall make the panel report public within 60 days after the report is issued, unless the person and the Party complained against have mutually agreed to extend the time period by no more than an additional 60 days. Where the person and the Party complained against mutually agree, the Secretariat may make the panel report public prior to the expiry of the 60-day time period.”.

4.13 Article 1720: Non-Implementation - Publicity

a. Delete paragraph 1 and replace it with:

“1. Where the Party complained against has not complied with the recommendations set out in the panel report or has failed to agree with the person on a mutually satisfactory resolution of the dispute, within 60 days after the report is issued, the Secretariat shall add the matter to the Committee’s agenda for its annual meetings, where it shall remain until the matter is resolved.”.

b. Delete paragraph 3 and replace it with:

“3. The Party complained against shall, at least 10 days before each subsequent annual Committee meeting, provide the Committee with a written status report on its progress in implementing the panel’s recommendations or in arriving at a resolution of the dispute.”.

4.14 Annex 1721 (Code of Conduct for Panellists)

Add the following sentence to the end of paragraph 10:

“A member must make his or her decision based solely on the official record.”