

*Note: [01 Jun 2017] – Amendments to Alberta Securities Commission Rules (General) . Refer to Annex A of the ASC Notice announcing amendments dated 11 May 2017.*

**AMENDMENTS TO  
ALBERTA SECURITIES COMMISSION RULES (GENERAL)**

**1. *The Alberta Securities Commission Rules (General) is amended by this Instrument.***

**2. *Section 4 is replaced by the following:***

**4** The following apply to a summons issued under any of sections 28, 29 or 42 of the Act:

- (a) every summons issued to a witness shall be completed substantially in accordance with Form 1;
- (b) the summons to a witness must be served at least 10 days before the examination or hearing date to which it applies, unless
  - (i) in the case of a summons issued by the Executive Director, the Executive Director determines that it is appropriate in the circumstances to abridge the time for service, or
  - (ii) in the case of a summons issued by the Commission, the Commission determines that it is appropriate in the circumstances to abridge the time for service;
- (c) if a person or company is represented by a lawyer, the summons may be served on the lawyer;
- (d) the allowance that shall be paid for each day or part of a day necessarily spent by a witness in travelling to, staying as long as is reasonably necessary to give evidence, and travelling back from the location of the hearing or examination shall be \$50.00;
- (e) if a witness does not reside within reasonable commuting distance of the location of the hearing or examination, the witness will be reimbursed the amount actually paid for accommodation, provided the Executive Director determines the amount is reasonable;
- (f) during days spent by the witness in travelling to, staying as long as is reasonably necessary to give evidence, and travelling back from the location of the hearing or examination, the witness will be reimbursed the amount actually paid for necessary meals, provided the Executive Director determines the amount is reasonable;
- (g) when a witness travels to, and returns from, the location of the hearing or examination

- (i) by train, bus or other public transportation, the witness will be reimbursed the reasonable fare actually paid by the witness, provided the Executive Director determines the amount is reasonable; or
- (ii) by private vehicle, the witness will be paid a reasonable allowance, as determined by the Executive Director, for the distance travelled;
- (h) if a witness must travel over 250 kilometres each way to and from the location of the hearing or examination, and uses a regularly scheduled air carrier, the witness will be reimbursed the airfare actually paid by the witness, provided the Executive Director determines the amount is reasonable;
- (i) the allowance for the first day that the witness is required to attend at the hearing or examination shall be provided to the witness on the day the witness attends the hearing or the examination, as the case may be, and all other allowances and reimbursement of expenses or fees that are required to be provided to the witness shall be provided as soon as practicable after the hearing or examination;
- (j) where this section contemplates that the Executive Director will determine the reasonableness of the amount claimed by a witness as an expense incurred and the Executive Director determines that the amount claimed is not reasonable, the Executive Director may determine the amount that should be paid or reimbursed to that witness in satisfaction of the claim;
- (k) the service of a summons on a witness, and the payment of conduct money, fees, expenses or allowances to a witness may be proved by an affidavit completed substantially in accordance with Form 2..

3. These changes become effective on June 1, 2017.