

December 14, 1999

## **INFORMATION BULLETIN 99-01 (2)**

### **Subject: Appeals Process for Late and Inaccurate Reporting Penalties for Information Filed Under the Natural Gas Marketing Regulation**

Penalties may apply under Part 3 of the Natural Gas Marketing Regulation (the "Regulation") if a company files late or inaccurate reports. Section 24(1) of the Regulation enables a person on whom a penalty has been imposed to file a notice of appeal to the Minister of Resource Development (the "Minister"). The appeal can be in respect of that person's liability for a penalty, the Alberta Petroleum Marketing Commission's refusal to grant a waiver of late reporting penalties, or the amount of the penalty imposed in the case of a discretionary penalty for inaccurate or incomplete reports.

Section 24(3) of the Regulation enables the Alberta Petroleum Marketing Commission to establish general directions regarding the procedures for the conduct of those appeals. The purpose of this information bulletin is to outline the process that is to be followed when filing a notice of appeal pursuant to section 24(1) of the Regulation.

#### Appeal Process

1. A notice of appeal must be filed within 60 days of the date of issues of the penalty invoice, or if the appeal relates to a declined waiver application, within 60 days after the later of the dates of issue of the penalty invoice or the Commission decision declining the waiver application.
2. A notice of appeal must identify the penalty or waiver decision being appealed, the reasons for the appeal, and any evidence or other information in support of the appeal.
3. A notice of appeal must be directed to the Executive Director, Gas Royalty at the following address with a copy to the Director, Gas Valuation at the above Calgary address. The notice of appeal should be clearly identified as a "Notice of Appeal".

(over)

Executive Director, Gas Royalty  
Mineral Operations Division  
8<sup>th</sup> Floor, North Petroleum Plaza,  
9945 – 108 Street  
Edmonton, Alberta  
T5K 2G6  
Telephone: 422-9230 Fax: 427-3334

4. The Executive Director will acknowledge receipt of the notice of appeal in writing. A delegate of the Minister in most cases will make a ruling within 30 days, depending on the circumstances. This ruling/decision will be the Minister's final position.
5. Payment of penalties is not required before filing an appeal.

ALBERTA PETROLEUM MARKETING COMMISSION

David Smith, Commissioner