

December 5, 2007

New legislation moves TILMA implementation ahead

Edmonton... New provincial legislation implements an enforceable dispute resolution process under the Alberta-B.C. *Trade, Investment and Labour Mobility Agreement* (TILMA). This change to the *Government Organization Amendment Act* was passed in the Alberta Legislature on December 5.

“The legislation means a TILMA dispute panel ruling will be enforceable. It will have real teeth,” said Guy Boutilier, Minister of International, Intergovernmental and Aboriginal Relations. “This is ultimately intended to help the consumers of Alberta and British Columbia.”

The TILMA dispute resolution process is a tool available for Albertans to ensure open markets in B.C. As part of the process to fully implement the TILMA by 2009, similar legislation is also before British Columbia's Legislature. Effective and enforceable dispute resolution is one of the ways the TILMA improves on the pan-Canadian *Agreement on Internal Trade*, which has no mechanism to enforce dispute resolution panel decisions.

The TILMA came into force on April 1. It is Canada's most comprehensive interprovincial trade agreement and creates a market of 7.8 million people - Canada's second largest economy. More information on the TILMA is available at www.tilma.ca.

The Alberta government continues to consult with municipalities, along with universities, school boards, health authorities, occupational organizations, regulatory bodies, crown corporations and financial institutions to determine the extent to which they will be affected by the TILMA when it comes fully into force in 2009.

The three-step TILMA dispute resolution process includes dispute avoidance; consultation; and finally, only as a last resort, resolution through an impartial panel. If a government does not change a measure found to violate the TILMA, a dispute panel may impose a financial penalty. The penalty can be any amount up to \$5 million and would apply only to the provincial governments of Alberta and B.C. There are currently no disputes under the TILMA.

Private parties cannot sue through the courts under the TILMA. They may access the dispute resolution process and seek recourse only on measures related to trade, investment or labour mobility. Under the dispute resolution process, only one dispute can be launched on what is essentially the same complaint at any time - allowing a situation to be supported or corrected and eliminating grounds for further complaints.

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