

Transfer Application Processes

Beginning August 21, 2017, the AER will review all related transfer applications at the same time and issue a decision after a minimum of 30 days.

Companies are strongly encouraged to submit all related transfer applications at the same time. However, the AER will bundle them for review if they are submitted separately.

Below is detailed information regarding various transfer application processes.

Energy Resource Enactments

A. Scheme Approval Transfers

All AER scheme approvals must show the current approval holder that is responsible for the project. No change in the approval holder is in effect until the approval has been amended to reflect the change.

To transfer the approval, the AER requires the following information:

- I. The following applies for the transfer of resource application approvals for oil and gas reservoirs:
 - i. For an approval holder change, complete and submit a transfer of approval form agreement in *Directive 065* appendix D. The form is required to show the change of the approval's holder if the scheme is sold or divested or to show a name change that has occurred since the scheme was approved.
 - ii. Provide a copy of the certificate of amalgamation, which is required as proof of the merger of a company that holds energy resource schemes with another that is expected to have those schemes transferred to it.
 - iii. If the present holder no longer exists, provide evidence that the new holder is the correct person or company that will assume responsibility for the scheme and provide evidence that the present approval holder no longer exists.

Contact resources.applications@aer.ca for more information.

- II. The following applies for the transfer of approval relating to oil sands projects and coal mines, including oilfield waste management facilities:
- i. Provide the AER project approval number.
 - ii. For an approval holder change, complete and submit the transfer of approval form agreement in *Directive 023*, appendix J.
 - iii. For a change to the approval holder's name, provide evidence of the change or details on when such evidence was filed with the AER. For a change in the name of an approval holder for multiple projects, attach a list of the approval numbers.
 - iv. If the current holder no longer exists, provide evidence that the new holder is the correct person or company that will assume responsibility for the project, and provide evidence that the current approval holder no longer exists.
 - v. For in situ oil sands, all transfers of well licences associated with the scheme must either be applied for in conjunction with, or be already completed at the time of, the transfer application submission.

For more information on in situ oil sands applications, contact insituapplications@aer.ca.

For more information on coal mining applications, contact coalmining@aer.ca.

For more information on oil sands mining applications, contact OSMining.Applications@aer.ca.

For more information on oilfield waste management, contact Directive058@aer.ca.

B. Licence Transfer

Agreements for the purchase and sale of AER-licensed wells, facilities, and pipelines do not affect a transfer of the associated licences unless and until the AER approves the related licence transfer application.

Licence transfer applications must meet the following requirements:

- I. Post-transfer liability management ratio assessment of both parties must meet the required threshold outlined in one of the following:
 - i. *Directive 006* and *Bulletin 2016-21* (for conventional upstream oil and gas wells, facilities, and pipelines)
 - ii. *Directive 024* (for licences included in the Large Facility Liability Management Program) and
 - iii. *Directive 075* (for licences included in the Oilfield Waste Liability Program)
- II. Licences with site-specific liability assessments must meet the requirements of *Directive 001* and *Directive 006*.
- III. The licensee of record (transferor) remains responsible for complying with all applicable regulatory requirements for any well, facility, or pipeline in a licence transfer application until the AER approves the transfer. On approval of a licence transfer application, the new licensee of record (transferee) becomes responsible for any well, facility, or pipeline licence in the application as of the effective date of the transfer.

Contact LiabilityManagement@aer.ca for more information.

Specified Enactments

- A. Land use assignments under the *Public Lands Act (PLA)*
 - I. Dispositions that are expired in the Electronic Transfer System assignment cannot be included in the transfer. Including expired dispositions in the transfer will result in the entire assignment application being rejected. For dispositions that are expired, please contact Land Use Authorizations directly for further direction.
 - II. Dispositions that have an open application in the assignment cannot be included in the transfer.
 - III. If the licensee also holds any *PLA* dispositions with Alberta Environment & Parks (AEP), the transferee will need to deal directly with AEP on those dispositions.

Contact AER.ETSAssign@aer.ca for more information.

B. *Environmental Protection and Enhancement Act (EPEA)* transfers

- I. The facility licence associated with the *EPEA* approval of a facility must be either approved already or submitted at the same time as the submission of the transfer of the *EPEA* approval.
- II. A consent-to-transfer document is required for all *EPEA* approvals and registrations relating to sweet gas plants and compressor stations that have a registration number.
- III. Request that the transfer document be submitted to EPEA.WA.Applications@aer.ca.
- IV. Once a consent-to-transfer document has been executed by both the transferor and the transferee, the document is submitted to EPEA.WA.Applications@aer.ca for approval to issue the transfer.

Contact EPEA.WA.Applications@aer.ca for more information.

C. *Water Act* approvals and licences

Note that under the *Water Act*, “transfer” means the removal of an allocation of water from one licence and the addition of this volume to a different licence; “approval” means authorization under the *Water Act* for an activity within or affecting a water body. For the purposes of this document, these *Water Act* terms are not used. Instead, the discussion relates to applicants taking over existing authorizations.

- I. An application under the *Water Act* for licences is located here: <https://www.aer.ca/regulating-development/rules-and-directives/aer-forms/water-act-forms>.
- II. On the application form, provide information about the existing licence, including licence number, and provide information to show the change of holder of the authorization from the old holder to the new one.
- III. If the current holder no longer exists, submit a statement attesting to that and saying that the proposed new holder is the proper person or company to assume responsibility for the approval or licence.
- IV. For *Water Act* licences, email the application form to EPEA.WA.Applications@aer.ca.
- V. For *Water Act* approvals, submit the application via [the OneStop system](#).

Contact EPEA.WA.Applications@aer.ca with any questions.