

Bill No. 80 of 1945.

A BILL TO AMEND THE MOTHERS' ALLOWANCE
ACT.

NOTE.

The amendment to the definition of "widow" reduces the period of desertion necessary to entitle a woman to the benefit of this Act from five years to three years and gives the Superintendent, subject to the approval of the Minister, authority to determine when a woman qualifies. This jurisdiction is at present in a district judge. The new definition also includes a woman who has lived for five years before his death in a marital relation to a man but not married to him and has borne children registered as his.

The change made in section 4 strikes out the words "who was either a resident of the Province on the tenth day of April, 1920", which has long since served its purpose and is no longer applicable, and adds the words "or at the time of his desertion of his wife" to make it clear that the husband must have been a resident of Alberta at the time of the desertion.

W. S. GRAY,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 80 of 1945.

An Act to amend The Mothers' Allowance Act.

(Assented to _____, 1945.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Mothers' Allowance Act*, being chapter 302 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 2,—

(a) by adding immediately after paragraph (a) thereof the following new paragraph:

“(aa) ‘Husband’ includes a man referred to in clause (ii) of paragraph (e) of this section;”;

(b) by striking out paragraph (e) thereof and by substituting therefor the following:

“(e) ‘Widow’ includes,—

“(i) any married woman who has been declared by the Superintendent, subject to the approval of the Minister, to have been deserted, without reasonable cause, by her husband for a continuous period of three years or upwards immediately preceding the date of the declaration;

“(ii) subject to the recommendation of the Superintendent and the approval of the Minister, any woman who, though not married, was living in marital relations with a man who was a resident of the Province at the time of his death and had so lived for a period of at least five years immediately preceding his death, and had borne children who are registered in his name.”

2. The said Act is further amended as to section 4 by striking out the same and by substituting therefor the following:

“**4.** Any woman who is,—

“(a) a widow; or

“(b) the wife of a person committed to a hospital under the provisions of *The Mental Diseases Act* and actually an inmate thereof;

and whose husband was a resident of the Province at the time of his death, or at the time of his entering the hospital or at the time of his desertion of his wife, and who having in her custody a child or children under the age of sixteen years, is unable to take proper care of such child or children, may by herself or through any other person on her behalf, apply to an inspector of the municipality in which her husband had his home at the time of his death or committal or of the desertion by him of his wife, or in the case of an improvement district, to the Superintendent for assistance under this Act."

3. This Act shall come into force on the day upon which it is assented to.

No. 80.

FIRST SESSION
TENTH LEGISLATURE

9 GEORGE VI

1945

BILL

An Act to amend The Mothers'
Allowance Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
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1945