

Bill No. 38 of 1946.

A BILL TO AMEND THE SUCCESSION DUTY ACT

---

NOTE.

Section 7 of *The Succession Duty Act* which is amended by section 1 of the Bill enumerates the exemptions which are allowed under the Act. Paragraph (d) as it now stands, exempts gifts, etc., to the University of Alberta, and the proposed new paragraph (d) extends this exemption to school districts and school divisions in the Province.

The amendment to section 31 is made to conform with a general reduction in interest rates. This section as it now reads conforms with the rate of interest charged under the Dominion Act, and those of other Provinces.

The new section 39a has been added to prevent the depletion of assets of an estate by a succession of deaths which are very close together, and enables the Minister to relieve the estate in these cases by a reduction of the duties on the second death by the amount set out in this section.

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. 38 of 1946.

An Act to amend The Succession Duty Act.

(Assented to \_\_\_\_\_, 1946.)

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

**1.** *The Succession Duty Act*, being chapter 57 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 7 by striking out paragraph (d) thereof and by substituting therefor the following:

“(d) property transferred by grant or gift, or devised or bequeathed for educational purposes to the University of Alberta or to a school district or school division in the Province;”.

**2.** The said Act is further amended as to section 31 by striking out the word “five”, wherever the same occurs therein, and by substituting therefor the word “four”.

**3.** The said Act is further amended by adding immediately after section 39 thereof the following new section:

“**39a.** Where the Minister is satisfied that succession duty has become payable before or after the coming into force of this section upon or with respect to the succession to any property and that subsequently within five years and after the coming into force of this section succession duty has again become payable upon or with respect to the succession to the same property or any part thereof on the death of the person to whom the property passed on the first death, the amount of succession duty payable on the second death with respect to the succession to such property shall be reduced as follows:

- (a) Where the second death occurs within one year of the first death, by fifty per cent;
- (b) Where the second death occurs within two years of the first death, by forty per cent;
- (c) Where the second death occurs within three years of the first death, by thirty per cent;
- (d) Where the second death occurs within four years of the first death, by twenty per cent;
- (e) Where the second death occurs within five years of the first death, by ten per cent.”

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

THIRD SESSION  
TENTH LEGISLATURE

10 GEORGE VI

1946

---

---

**BILL**

An Act to amend The Succession Duty  
Act.

---

---

Received and read the

First time.....

Second time.....

Third time.....

---

---

HON. MR. MAYNARD.

---

---

EDMONTON:  
A. Shnitka, King's Printer.  
1946