

Bill No. 34 of 1948.

A BILL TO AMEND THE SOLDIERS' RELIEF ACT

NOTE

This Bill amends *The Soldiers' Relief Act*.

By reason of section 2 (2) (*dd*) of the Act, the provisions of Part I providing tax exemption for soldiers expired on the thirty-first day of December, 1947. The Bill accordingly strikes out section 2 (2) (*dd*) and Part I of the Act as they can have no further effect.

Section 1 (b) of the Bill adds two new subsections (3) and (4) to section 2 of the Act which provide that the same cut-off date, viz., the thirty-first day of December, 1947, applies to Part II of the Act relating to debt relief. The provisions of Part II prohibit an action against a soldier, while serving, or within two years of his discharge, for a debt incurred before he became a soldier unless a permit is obtained. The effect of the amendment is that,—

(a) Part II does not apply to soldiers who enlisted after the thirtieth day of June, 1947.

(b) Soldiers discharged prior to the thirty-first day of December, 1947, are protected until two years after their discharge.

(c) Soldiers still serving on the thirty-first day of December, 1947, are deemed to be discharged on that date and enjoy the protection of Part II for two years until the thirty-first day of December, 1949.

Section 3 of the Bill strikes out sections 20 to 28 inclusive in Part III of the Act. These sections provided that a soldier could appoint the public administrator as his agent to manage his property during the soldier's absence on active service and until six months after his discharge. A soldier could also appoint the public administrator as executor or trustee under his will. These provisions were used during active hostilities but their usefulness has practically expired. These sections are accordingly struck out.

The Bill adds a new section 20 which permits the public administrator to continue to administer the property of one or two soldiers under the provisions of these sections until his administration is complete.

As Part II is the only remaining Part of the Act which is effective and as it can have no application after the thirty-first day of December, 1949, a new section 33 is added to make it clear that the Act remains in force only until that date.

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. 34 of 1948.

An Act to amend The Soldiers' Relief Act.

(Assented to _____, 1948.)

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

1. *The Soldiers' Relief Act*, being chapter 146 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 2,—

- (a) by striking out paragraph (*dd*) of subsection (2) thereof;
- (b) by adding immediately after subsection (2) thereof the following new subsections:

“(3) Any soldier who became a soldier after the thirtieth day of June, 1947, is not entitled to the benefits of Part II of this Act.

“(4) Any soldier serving on the thirty-first day of December, 1947, who became a soldier on or before the thirtieth day of June, 1947, shall be deemed to have been discharged on the thirty-first day of December, 1947, for the purposes of Part II of this Act.”

2. The said Act is further amended as to Part I by striking out the same.

3. The said Act is further amended as to Part III by striking out sections 20 to 28 inclusive thereof and by substituting therefor the following:

“**20.** Notwithstanding the repeal of sections 20 to 28 inclusive every public administrator appointed as the agent of a soldier in the management of his property or as executor or trustee of a soldier under his will pursuant to the said sections prior to their repeal may continue to act as agent, executor or trustee until the expiration of six months after the date of discharge of the soldier or until the management or administration of the property is completed, as the case may be, and for that purpose the public administrator shall continue to have and exercise the powers granted to him by the said sections.”.

4. The said Act is further amended by adding immediately after section 32 thereof the following new section:

“33. This Act as amended shall remain in force until the thirty-first day of December, 1949, and from and after that date it shall have no further force or effect and shall be deemed to be repealed.”.

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

FIFTH SESSION
TENTH LEGISLATURE
12 GEORGE VI
1948

BILL

An Act to amend The Soldiers' Relief
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. GERHART.

EDMONTON:
A. Shnitka, King's Printer
1948