

BILL

No. 61 of 1948.

An Act to amend The Tax Recovery 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 Tax Recovery Act*, being chapter 161 of the Revised Statutes of Alberta, 1942, is hereby amended by adding immediately after section 20 thereof the following new section:

“**20a.**—(1) In respect of any parcel of land or minerals finally acquired by a municipality before or after the passing of this section pursuant to a tax recovery notification or caveat placed upon the certificate of title by the Registrar and subsequently registered in the name of the municipality, the municipality shall be deemed to have taken or to take title only, as respects minerals, to such minerals as the municipality was authorized and empowered to assess at the time of the issue of the certificate of title in the name of the municipality, and any corrections in the register made before the passing of this section to effect this purpose are hereby confirmed and validated.

“(2) No municipality shall dispose of or otherwise deal in any minerals or any interest therein by way of transfer, lease, mortgage, or in any other manner whatsoever without the consent in writing of the Minister first had and obtained, and any such disposition or dealing made without the consent of the Minister shall be null and void and of no effect.

“(3) Any certificate of title issued before or after the passing of this section in the name of a municipality by the Registrar to or including any minerals other than minerals which the municipality was authorized and empowered to assess at the time of the issue of such certificate of title may be corrected pursuant to the provisions of *The Land Titles Act* in order to limit such certificate of title to the minerals it was so authorized and empowered to acquire, and all other necessary corrections may be made on other certificates of title in the register pursuant to the provisions of *The Land Titles Act*.

“(4) The provisions of this section shall not affect any interest in minerals acquired prior to the passing of this section *bona fide* and for value by any person from a municipality.”.

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

No. 61

FIFTH SESSION
TENTH LEGISLATURE

12 GEORGE VI

1948

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An Act to amend The Tax Recovery
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. GERHART.

EDMONTON:
A. Shnitka, King's Printer
1948