

Bill No. 33 of 1949.

A BILL TO AMEND THE ESTATES OF THE
MENTALLY INCOMPETENT ACT

NOTE.

This Bill amends *The Estates of the Mentally Incompetent Act*, being chapter 23 of the Revised Statutes of Alberta, 1942.

It amends sections 3, 23(2) and 23(3) and repeals sections 25 to 42 inclusive.

Sections 1 and 2 of this Bill amend the long and short titles of the Act. The present name is no longer appropriate as all provisions relating to the estates of persons who are mentally incompetent have been taken out of this Act and placed in *The Public Trustee Act*.

Sections 3, 23(2) and 23(3) are amended so that where they formerly referred to other provisions of *The Estates of the Mentally Incompetent Act*, they now refer to provisions of *The Public Trustee Act*.

Sections 25 and 42 inclusive and Form A in the Schedule are struck out as they have been incorporated into *The Public Trustee Act*, a new Act which is intended to consolidate in one Act certain provisions which were formerly contained in *The Official Guardian Act*, *The Estates of the Mentally Incompetent Act*, *The Judicature Act*, and *The Trustee Act*.

The date of coming into force of the Act is fixed for the first day of July, 1949, because *The Public Trustee Act* comes into force on that date.

KENNETH A. MCKENZIE,
Acting Legislative Counsel.

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

BILL

No. 33 of 1949.

An Act to amend The Estates of the Mentally Incompetent Act.

(Assented to _____, 1949.)

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

1. *The Estates of the Mentally Incompetent Act*, being chapter 23 of the Revised Statutes of Alberta, 1942, is hereby amended as to the long title by striking out the same and by substituting the following: "An Act Respecting Mentally Incapacitated Persons and Their Estates."

2. The said Act is further amended as to section 1 by striking out the words "*The Estates of the Mentally Incompetent Act*" where the same occur therein and by substituting the words "*The Mentally Incapacitated Persons Act*."

3. The said Act is further amended as to section 3 by striking out the words "Part III" where the same occur therein and by substituting the words "*The Public Trustee Act*."

4. The said Act is further amended as to section 23,—

- (a) by striking out the words "Part III" wherever the same occur in subsections (2) and (3) and by substituting the words "*The Public Trustee Act*";
- (b) by striking out the words "Administrator of Estates of the Mentally Incompetent" where the same occur in subsection (3) and by substituting the words "Public Trustee."

5. The said Act is further amended as to sections 25 to 42 inclusive and as to Form A in the Schedule by striking out the same.

6. This Act shall come into force on the first day of July, 1949.

No. 33

FIRST SESSION
ELEVENTH LEGISLATURE

13 GEORGE VI

1949

BILL

An Act to amend The Estates of the
Mentally Incompetent Act

Received and read the

First time

Second time

Third time

HON. MR. MAYNARD.
