

Bill No. 21 of 1951.

A BILL TO AMEND THE DISTRICT COURTS ACT.

NOTE.

This Bill amends *The District Courts Act*, being chapter 121 of the Revised Statutes of Alberta, 1942.

Section 5a is amended by the addition of a new subsection (2) which enables the Chief Judge to reside in any city in the district for which he is appointed, other than Edmonton or Calgary, if he obtains the approval in writing of the Attorney General.

The Act contains a heading "Sittings of Courts" followed by sections 20, 21 and 22, dealing with this subject. Section 8 also deals with sittings of the courts. Section 8 is accordingly repealed and re-enacted with some modifications as subsections of section 20. The new subsections to section 20 provide that the Attorney General, in his discretion, may assign any sittings of the court to a District Court Judge or may delegate to the Chief Judge, or to any other judge of a District Court, the duty of assigning judges to sittings of that court. A judge so assigned is required to hold the sittings to which he is assigned. Upon request of the Attorney General, a District Court Judge is required to hold any sittings or to perform any other duty of a District Court Judge in the district other than that to which he is appointed. While so acting at the Attorney General's request the judge possesses all the power and authority of a District Court Judge appointed to the other district.

Section 23 is amended by striking out the words "six hundred" wherever they occur in the section and by substituting the words "one thousand". The effect of this amendment is to increase the jurisdiction of the District Courts from six hundred dollars to one thousand dollars.

The Bill comes into force upon assent, except for the amendments to section 23 which come into force on the 1st day of July, 1951, and are applicable only to actions commenced on or after that date.

KENNETH A. MCKENZIE,
Legislative Counsel.

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

BILL

No. 21 of 1951.

An Act to amend The District Courts Act.

(Assented to _____, 1951.)

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

1. *The District Courts Act*, being chapter 121 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 5a
amended

2. Section 5a is amended,—

- (a) by renumbering the section as subsection (1);
- (b) by adding immediately after subsection (1) the following new subsection:

“(2) Notwithstanding subsection (1), the Chief Judge may reside in any other city in the district for which he is appointed if he obtains the approval in writing of the Attorney General.”.

Section 8
repealed

3. Section 8 is repealed.

Section 20
amended

4. Section 20 is amended,—

- (a) by renumbering the section as subsection (1);
- (b) by adding immediately after subsection (1) the following new subsections:

“(2) The Attorney General, in his discretion,—

“(a) may assign to a District Court Judge any sittings of the District Court required to be held pursuant to subsection (1);

“(b) may delegate to the Chief Judge of a District Court or to any other judge of a District Court the duty of assigning judges to sittings of that court.

“(3) A District Court Judge shall hold each sittings of the court to which he is assigned under subsection (2).

“(4) Upon the request of the Attorney General a District Court Judge shall,—

“(a) hold any of the sittings of the District Court of the district other than that to which he is appointed;

Assignment
of duties

“(b) perform any other duty of a District Court Judge of the district other than that to which he is appointed;
and while so acting in compliance with the Attorney General’s request, he shall possess all the powers and authority of a District Court Judge of such other district.”.

Section 23
amended

5. Section 23 is amended by striking out the words “six hundred” wherever they occur and by substituting the words “one thousand”.

Coming
into force

6. This Act shall come into force on the day upon which it is assented to, except for section 5 which shall come into force on the first day of July, 1951, and applies only in respect of causes, actions, matters, suits or proceedings commenced on or after that date.

No. 21.

FOURTH SESSION
ELEVENTH LEGISLATURE
15 GEORGE VI
1951

BILL

An Act to amend The District
Courts Act.

Received and read the

First time

Second time

Third time

HON. MR. MAYNARD.
