

Bill No. 21 of 1953

A BILL TO AMEND THE LAND TITLES ACT

NOTE

This Bill amends *The Land Titles Act*, being chapter 205 of the Revised Statutes of Alberta, 1942.

Section 32 is amended to correct a reference to a Department of the Canadian Government which has received a new title since the enactment of this section.

Section 101, subsection (5) is amended. This subsection refers to section 36 of *The Provincial Lands Act*. That section was changed in 1948, and in 1949, *The Public Lands Act* was enacted and section 102 thereof contained the provisions of section 36 as amended in 1948. Section 102 of *The Public Lands Act* was again amended in 1952 prohibiting charges against public land except in certain cases. The amendment to subsection (5) is for the purpose of bringing the reference in that subsection up to date.

Section 167*a*, subsections (2) and (3) are amended. The effect of these amendments is to provide for a mineral certificate which will certify as to the correct registered owner of an interest in mines and minerals at the date of the purported disposition in the case of a disposition of an interest in mines and minerals. Previously, by virtue of these subsections the Registrar was required to certify that the person disposing of the interest was the correct registered owner of that interest at the time of disposition. In many cases to so certify required the Registrar to anticipate and determine a question which was largely one of law. The Registrar will now only be required to search his register and determine the correct registered owner of the mines and minerals as at the date of the purported disposition thereof.

Form 37*a* in the Schedule is amended to conform to the amendments to section 167*a*.

This Bill comes into force on the 1st day of July, 1953.

J. W. RYAN,
Acting Legislative Counsel.

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

BILL

No. 21 of 1953

An Act to amend The Land Titles Act

(Assented to _____, 1953)

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

1. *The Land Titles Act*, being chapter 205 of the Revised Statutes of Alberta, 1942 is hereby amended.

Section 32
amended

2. Section 32 is amended by striking out the words "of the Interior", wherever they occur, and by substituting the words "of Resources and Development".

Section 101
amended

3. Section 101, subsection (5) is amended by striking out the figures and words "36 of *The Provincial Lands Act*" and by substituting the figures and words "102 of *The Public Lands Act*".

Section 167a
amended

4. Section 167a is amended

- (a) by striking out the words "as to ownership of the interest in mines and minerals", where they occur in subsection (2);
- (b) by striking out subsection (3) and by substituting the following:

Mineral
certificate

"(3) The Registrar shall search and examine the register to ascertain as at the date of the purported disposition the ownership of the mines and minerals purporting to be dealt with by the disposition and he shall issue a mineral certificate in Form 37a in the Schedule."

Schedule
amended

5. The Schedule is amended by striking out Form 37a and by substituting the following:

Form 37a

"FORM 37a

"MINERAL CERTIFICATE

"I hereby certify that at the date of the disposition from
dated to
purporting to dispose of the

following interest in mines and minerals, namely.....

 (state mines and minerals shown in disposition)
 was the correct registered owner
 (name of registered owner)
 under Certificate of Title No. of all
 (state mines and
 within, upon or under
 (minerals shown in title)

"Dated this.....day of.....19.....

“.....Alberta Land Registration District.”. “Registrar,

Coming into force

6. This Act comes into force on the first day of July, 1953.

No. 21

FIRST SESSION
TWELFTH LEGISLATURE
2 ELIZABETH II
1953

BILL

An Act to amend The Land Titles Act

Received and read the

First time

Second time.....

Third time.....

HON. MR. MAYNARD.
