

Bill No. 77 of 1953

A BILL TO AMEND THE FUEL OIL TAX ACT

NOTE

This Bill amends *The Fuel Oil Tax Act*, being chapter 45 of the Revised Statutes of Alberta, 1942.

Section 2, clause (c) is amended to define more clearly the term "fuel tank".

Section 10, subsection (1) is amended to correct the reference therein to section 12.

Section 12 is amended by substituting a new section 12 for the previous section. The effect of the amendment is that a farmer who uses his tractor on a highway to haul coal, firewood or building materials for use on his own farm is not subject to the prohibition relating to the use of coloured fuel in vehicles. The uses permitted by the former section 12 are provided for by clause (a), clause (b), subclause (i) and subclause (ii) of the new section.

Section 30, clause (b) is amended. Heretofore the certificate of the provincial analyst as to the substance being or not being fuel oil could be received in evidence. The amendment provides for the certificate of the chief chemist of the gasoline and oil laboratory of the Research Council of Alberta being similarly received in evidence in a prosecution under this Act.

This Bill comes into force upon assent.

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. 77 of 1953

An Act to amend The Fuel Oil Tax 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 Fuel Oil Tax Act*, being chapter 45 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 2
amended

"fuel tank"

2. Section 2 is amended by striking out clause (c) and by substituting the following:

"(c) 'fuel tank' means the tanks or containers to which the engine of the motor vehicle is or may be connected for the purpose of conveying to the engine the fuel oil required to propel or operate the motor vehicle;"

Section 10
amended

3. Section 10, subsection (1) is amended by striking out the words "subsection (2) of".

Section 12
amended

4. Section 12 is struck out and the following is substituted:

Restricted
use of
coloured fuel
oil

"**12.** No person shall use or have in the fuel tank of a motor vehicle of which he is in possession or control any fuel oil coloured as approved under the provisions of section 10, except

"(a) a person engaged in farm work in the Province who is using the coloured fuel oil for consumption

"(i) in any tractor, combine or stationary engine while it is being used on a farm for agricultural purposes,

"(ii) in any motor vehicle used solely on a farm,

"(b) a farmer or an employee of the farmer who is using the coloured fuel oil for consumption in a tractor owned by the farmer while it is being operated on a highway for the purpose of

"(i) hauling farm produce or machinery owned by a farmer, or

"(ii) hauling coal, firewood or building material for use on the farm of the farmer,

"(iii) moving the tractor from one location to another."

5. Section 30 is amended by striking out clause (b) and by substituting the following: Section 30
amended

“(b) every certificate

“(i) of the chief chemist of the gasoline and oil laboratory of the Research Council of Alberta established under *The Research Council Act*,
or

“(ii) of the provincial analyst,
as to whether or not any substance referred to therein is fuel oil within the meaning of this Act or *The Fuel Oil Licensing Act*,”.

6. This Act comes into force on the day upon which it is assented to. Coming into
force

FIRST SESSION
TWELFTH LEGISLATURE
2 ELIZABETH II
1953

BILL

An Act to amend The Fuel Oil Tax
Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. GERHART.
