

Bill No. 76 of 1954

A BILL TO AMEND THE IRRIGATION DISTRICTS ACT

NOTE

This Bill amends *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942.

Section 4 is amended. Under forfeiture proceedings for non-payment of irrigation rates both under this Act and *The Lethbridge Northern Rates Enforcement Act* (now repealed), it has been considered that surface rights only were affected. This view has existed since 1925. However, certain words of section 4 in respect of minerals conflict with that view and are therefore struck out; and since that view has been prevalent for so many years this amendment to section 4 is made retroactive to December 1st, 1925.

Section 4a is added. It provides simply that no mineral rights are or have been acquired by an irrigation district, however they were purported to be acquired, unless they are expressly conveyed.

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. 76 of 1954

An Act to amend The Irrigation Districts Act

(Assented to _____, 1954)

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

1. *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942, is hereby amended.

2. (1) Section 4 is amended by striking out the words "the ownership of which is vested in some person other than the owner of the surface superjacent thereto, nor, in the case of minerals leased by the owner of the surface, such minerals during the continuance of the lease". Section 4 amended

(2) Subsection (1) shall be deemed to have been in force at all times on and after the first day of December, 1925.

3. The following new section is added immediately after section 4: New section 4a

"**4a.** Notwithstanding any return, order, certificate of title, or other document conveying or evidencing title, no mines or minerals are acquired or have been acquired at any time on and after the first day of December, 1925 by any irrigation district Mines and minerals

"(a) by any expropriation or rate enforcement proceedings under *The Irrigation Districts Act* or *The Lethbridge Northern Rates Enforcement Act*, or

"(b) by any other acquisition of lands unless the document conveying the lands describes the mines and minerals thereby being conveyed to the irrigation district."

4. This Bill comes into force on the day upon which it is assented to. Coming into force

No. 76

SECOND SESSION
TWELFTH LEGISLATURE
3 ELIZABETH II

1954

BILL

An Act to amend The Irrigation
Districts Act

Received and read the

First time

Second time.....

Third time.....

HON. MR. HALMRAST
