

Bill No. 119 of 1954

A BILL TO PROVIDE COMPENSATION FOR
MEMBERS OF THE LEGISLATIVE ASSEMBLY
IN THE EVENT OF TOTAL DISABILITY OR DEATH

NOTE

This Bill enacts a new Act to be known as "*The M.L.A. Compensation Act*".

The effect of this Bill is to provide a plan of compensation in the event of the accidental death or accidental permanent total disability of members of the Legislative Assembly while performing their duties as members.

The members are brought under *The Workmen's Compensation Act, 1948*, and compensation would be payable thereunder as though the members were workmen within the meaning of that Act.

This Bill comes into force upon assent and is retroactive to October 1st, 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. 119 of 1954

An Act to Provide Compensation for Members of the
Legislative Assembly in the Event of Total Disability
or Death

(Assented to _____, 1954)

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

Short title **1.** This Act may be cited as "*The M.L.A. Compensation Act*".

Interpre- **2.** In this Act,
tation
"Board" (a) "Board" means the Workmen's Compensation
Board established under *The Workmen's Compens-*
ation Act, 1948;

"compens- (b) "compensation" means
ation" (i) in the case of a member of the Legislative
Assembly, the maximum payments payable
under section 34 and subsection (3) of sec-
tion 39 of *The Workmen's Compensation Act,*
1948, to a workman suffering permanent total
disability, and
(ii) in the case of a dependant of a member of the
Legislative Assembly, compensation equivalent
to and payable in the same manner and upon
the same basis as the compensation payable
under *The Workmen's Compensation Act,*
1948, to a similar dependant of a workman
under that Act;

"duty as a (c) "duty as a member of the Legislative Assembly"
member includes
of the (i) travelling to and from sessions of the Legis-
Legislative lative Assembly,
Assembly" (ii) travelling to and from any Committee of the
Legislative Assembly,
(iii) travelling within or without the Province on
the business of the Legislative Assembly, any
Committee thereof or on the business of the
Government of Alberta, and
(iv) in the case of a member of the Executive Coun-
cil all his duties as a member of the Executive
Council;

- (d) "member of the Legislative Assembly" includes a member of the Executive Council; "member of the Legislative Assembly"
- (e) "permanent total disability" means personal injury to the extent that the member of the Legislative Assembly would, if he were a workman under *The Workmen's Compensation Act, 1948*, be found to be permanently totally disabled. "permanent total disability"

3. Where an accident arising out of and in the course of the performance of any duty of a member of the Legislative Assembly results in the permanent total disability of or death to the member of the Legislative Assembly, compensation shall be paid therefor by the Board Payments

- (a) to or on behalf of the disabled member of the Legislative Assembly in the case of his permanent total disability, or
- (b) to or on behalf of the dependants of the member in the case of his death.

4. Compensation shall be paid in the case of permanent total disability to a member of the Legislative Assembly from the date of such disablement and in the case of the death of a member to or on behalf of his dependants from the date of his death. Commencement of payments

5. The Board shall administer this Act and pay compensation to the persons entitled thereunder. Administration of Act

6. The Provincial Treasurer shall pay to the Accident Fund established pursuant to *The Workmen's Compensation Act, 1948*, such sums as are required by the Board in the administration of this Act and for the payment of compensation under this Act. Payments to Accident Fund

7. Claims for compensation under this Act shall be made to the Board and determined by the Board under this Act and *The Workmen's Compensation Act, 1948*. Claims for compensation

8. (1) *The Workmen's Compensation Act, 1948*, with whatever changes are necessary applies to members of the Legislative Assembly and their dependants as if such members and their dependants were workmen or dependants of workmen, respectively, under that Act. Application of *The Workmen's Compensation Act, 1948*

(2) For the purposes of this Act the term "employer" in *The Workmen's Compensation Act, 1948*, shall be deemed to refer to the Clerk of the Legislative Assembly.

9. No compensation shall be paid under this Act to or in respect of a person while pension payments for his previous service on the Executive Council are being paid under *The Public Service Pension Act* to or in respect of that person. Ineligibility for compensation

10. This Act comes into force on the day upon which it is assented to and upon so coming into force shall be deemed to have been in force at all times on and after the first day of October, 1953. Coming into force

No. 119

SECOND SESSION
TWELFTH LEGISLATURE

3 ELIZABETH II

1954

BILL

An Act to provide Compensation for
Members of the Legislative Assembly
in the Event of Total Disability
or Death

Received and read the

First time

Second time.....

Third time.....

HON. MR. MAYNARD.
