

Bill No. 37 of 1955

A BILL RESPECTING CERTAIN MINE AND
MINERAL TITLES ACQUIRED BY AN ERROR
IN THE LAND TITLES OFFICE

NOTE

This Bill enacts a new Act to be known as "*The Temporary Restriction on Alienation of Mines and Minerals Act*".

By this Act a person who acquired mines and minerals by an error in the Land Titles Office, if he did not acquire them *bona fide* for value without notice of the error, is prohibited from disposing of them, after the 1st day of January, 1955. Any disposition of such minerals after that date in violation of the prohibition is made void; a Registrar, when a purported disposition might be void under this Act, may refuse to issue a mineral certificate relating thereto, and the matter may be determined by an application to a judge under *The Land Titles Act*.

This Act is not to prevent transmission of mines and minerals to personal representatives of deceased owners.

The Act is to come into force upon assent, is retroactive to the 1st day of January, 1955, and will expire on the 1st day of July, 1956.

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. 37 of 1955

An Act respecting Certain Mine and Mineral Titles
Acquired by an Error in the Land Titles Office

(Assented to _____, 1955)

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

1. This Act may be cited as "*The Temporary Restriction on Alienation of Mines and Minerals Act*". Short title

2. (1) A person who acquired mines and minerals as a result of an error in the Land Titles Office and who did not acquire them *bona fide* for value without notice of the error shall not, after the first day of January, 1955, dispose of the mines and minerals, or any interest therein, by way of transfer, sale, mortgage, assignment, agreement, lease or otherwise. Title to mines and minerals

(2) Any disposition made in contravention of subsection (1) is void.

3. Notwithstanding section 167a of *The Land Titles Act*, the Registrar may refuse to issue a mineral certificate where a purported disposition of mines or minerals may be void under this Act, and thereafter section 172 of *The Land Titles Act* applies. Application of Act

4. This Act shall not be construed so as to prevent transmission of mines or minerals to the personal representative of a deceased owner. Transmission

5. This Act expires on the first day of July, 1956. Expiry

6. 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 January, 1955. Coming into force

THIRD SESSION
TWELFTH LEGISLATURE
4 ELIZABETH II
1955

BILL

An Act respecting Certain Mine and
Mineral Titles Acquired by An Error
in The Land Titles Office

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MAYNARD
