

Bill No. 47 of 1955

A BILL TO AMEND AND REPEAL CERTAIN
PROVISIONS AND REFERENCES
IN THE STATUTE LAW

NOTE

This Bill enacts an Act to be called "*The Statute Law Amendment Act, 1955*".

The Bill enacts in the one Act the statutory amendments that are of a simple nature and that do not involve extensive changes in the law.

Sections 2 to 20, sections 33 and 35 of the Bill are necessitated by the revised *Criminal Code*, being chapter 51 of the Statutes of Canada, 1953-54, which was assented to on June 26, 1954, and comes into force on the 1st of April, 1955. The references in Alberta Statutes to the Code and its sections, references and procedures will be out of date when the new Code comes into force, as the Code sections have been renumbered, procedures varied or dropped and references altered. The Bill brings the references in the Alberta Statutes in line with the new Code, by either changing the section numbers or rewording the reference to fit the procedure or offences described and set out in the new Code.

Section 21 amends *The Water Resources Act*, being chapter 65 of the Revised Statutes of Alberta, 1942. Section 68, subsection (1), clause (a) of *The Water Resources Act* provides that the Director of Water Resources has the status of a deputy to the Minister administering this Act. This provision is being removed. Subsection (2) requires that regulations be both published and tabled. The tabling requirement is being removed. The report of the Department of Agriculture will now include the report of the Water Resources Branch.

Section 22 amends section 73 of *The St. Mary and Milk Rivers Development Act, 1950*, being chapter 68 of the Statutes of Alberta, 1950, by substituting the Minister charged with the administration of the Act for the Lieutenant Governor in Council as the person to whom the colonization manager has to submit his annual report.

Section 23 makes two amendments to *The Public Service Act, 1954*, being chapter 86 of the Statutes of Alberta, 1954. Firstly, as the status of the Director of Water Resources is in consequence of the amendment to *The Water Resources Act* no longer to be that of a Deputy Minister that office is being removed from Division 1 of the Public Service. Secondly, section 11, subsection (2), clause (b), subclause (iii) imposes upon the Public Service Commission the duty of preparing rules and regulations with respect to annual

vacations and sick leave. There is some conflict between this provision and section 29, which authorizes the head of a Department to grant annual vacations, sick leave and leave in the case of pressing necessity, but makes no reference to the rules and regulations under section 11. Section 29 is therefore being amended to make it clear that the exercise and the extent of the powers thereby given to a head of a Department are, so far as they relate to annual vacations and sick leave, subject to the rules and regulations under section 11.

Section 24 amends *The Alberta Gas Trunk Line Company Act*, being chapter 37 of the Statutes of Alberta, 1954. A new section 5a is added which declares that the liability of a shareholder in the company is limited to the amount unpaid on the stock held by the shareholder. This section is retroactive to the 8th day of April, 1954, the date *The Alberta Gas Trunk Line Company Act* came into force.

Section 25 amends *The University Act*, being chapter 179 of the Revised Statutes of Alberta, 1942. Section 61, subsection (2), clause (p) of the Act is amended by adding the Association of Chartered Physiotherapists of Alberta to the list of associations with which the General Faculty Council must make arrangements for conducting examinations, and by deleting from the list the Alberta Teachers' Association and the Alberta Registered Music Teachers' Association, as these two associations do not hold examinations. The associations referred to in this clause are by virtue of section 63 entitled to be represented on the Faculty Councils, except that an amendment to that section now excludes the Alberta Registered Music Teachers' Association from such representation.

Section 26 amends *The Water, Gas, Electric and Telephone Companies Act*, being chapter 260 of the Revised Statutes of Alberta, 1942. Section 27 provides that in certain cases land or an interest in land, the expropriation of which has been duly authorized, shall vest in a company under the Act upon the company filing in the appropriate land titles office a description or plan of the land that is signed by the president of the company and by the Minister of Highways. To avoid delay in cases where the signature of the president of the company cannot be readily obtained, the section is being amended to give power to the general manager of the company to sign the description or plan.

Section 27 amends section 33, subsection (6) of *The Agricultural Societies Act*, being chapter 246 of the Revised Statutes of Alberta, 1942, to correct a reference.

Section 28 amends *The Retirement Annuities Act*, being chapter 4 of the Statutes of Alberta, 1951. Section 4 provides that a Canadian citizen who is eligible to purchase a retirement annuity is one who has resided in the Province for not less than three years. The amendment is to make it clear that he must have resided in the Province for the three years immediately preceding his application for the retirement annuity.

Section 29 amends *The Railways and Telephones Department Act*, being chapter 17 of the Revised Statutes of Alberta, 1942. As the Department of Railways and Telephones has not been concerned with railways for some time past the Act is amended to delete the reference to railways from the titles of the Act, the Minister and the Department, and to abolish the office of Deputy Minister of Railways.

Section 30 amends *The Lloydminster Hospital Act*, being chapter 19 of the Statutes of Alberta, 1948. In the description of the rural municipality of Wilton No. 472, as set out in section 3 of the Act, errors have been found which are now being corrected. The amendment is retroactive to the date the Act came into force.

Section 31 amends *The Public Utilities Act*, being chapter 28 of the Revised Statutes of Alberta, 1942. Clause (i) of section 21 of that Act commands the Board of Public Utility Commissioners to administer *The Securities Act* and is struck out because of the new Securities Act being proposed at this session. Section 53 is amended to enable the Board to discharge certain of its functions by making regulations instead of orders. Section 70g is added and provides that where gas is purchased or acquired for consumption elsewhere than in the Province, any contract with respect to that purchase or acquisition will not be varied by the Board of Public Utility Commissioners.

Section 32 amends *The Public Service Vehicles Act*, being chapter 276 of the Revised Statutes of Alberta, 1942. Section 8a is amended to enable the Special Areas Board as well as the council of a municipal district to bar the use of public service and commercial vehicles on a highway, or impose a maximum speed or weight in order to preserve the highway. Section 31 is amended to permit passengers to be carried in the cabs of farm trucks. Section 42, which provides that the drivers of public service and commercial vehicles must halt before traversing a level crossing, is repealed as that provision is by an amendment to *The Vehicles and Highway Traffic Act* to be included in that Act. Section 65 is amended to increase the penalties for driving with weights over the maximum weights allowed.

Section 34 repeals *The Companies Information Act*.

Section 36 amends *The Pipe Line Act, 1952*, being chapter 67 of the Statutes of Alberta, 1952. Section 7a is added and section 18 is repealed to remove an administrative difficulty arising as a result of a deficiency in the Act, where it deals with rights of way over highways and roads. Section 33a is added to expressly give the power to require the placing of vent pipes in pipe lines. The Minister may now require such pipes.

Section 37 amends *The Alberta Insurance Act*, section 274 and subsection (2) of section 276b. Section 274, which sets out the exceptions to liability of an insurer on automobile policies, is amended to clarify the situation with

respect to equipment on the motor vehicle. Equipment on the vehicle of the nature of apparatus for lifting, welding, etc., causes the difficulty and the amendment provides that such is within the cover of the policy unless it is excluded by an endorsement approved by the Superintendent of Insurance. Section 267*b*, subsection (2), which relates to first loss insurance is amended to make the insurance coverage on the vehicle involved in the loss the first loss insurance, and other insurance, such as driver's insurance, excess insurance. This amendment is required as in practice the opposite rule was causing higher rates and inaccurate statistics. These amendments will be proclaimed in force simultaneously in all the provinces of Canada.

Section 38 amends *The Mental Diseases Act*, being chapter 192 of the Revised Statutes of Alberta, 1942. Section 9, subsection (1) is amended to make it clear that a magistrate who has found a person to be mentally diseased and dangerous to be at large may commit him to the custody of a mental diseases hospital as an alternative to committing him to the nearest gaol, if in the opinion of the magistrate he should not be committed to gaol.

Except as otherwise provided, 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. 47 of 1955

An Act to amend and repeal Certain Provisions and
References in the Statute Law

(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 Statute Law Amend- Short title
ment Act, 1955.*"

2. Section 147 of *The Alberta Election Act*, being chapter Alberta
Election Act
section 147
5 of the Revised Statutes of Alberta, 1942, is amended by
striking out the words and numerals "sitting and acting as
a justice of the peace under the provisions of Part XV of
The" and by substituting the words and numerals "sitting
and acting as a summary conviction court under the pro-
visions of Part XXIV of the".

3. Section 14, subsections (5) and (6) of *The Child Child
Welfare Act*, being chapter 8 of the Statutes of Alberta, Child
Welfare Act
section 14
1944, is amended by striking out the words and numerals
"Part XV of *The*" and by substituting the words and
numerals "Part XXIV of the".

4. Section 20, subsection (2) of *The Coroners Act*, being Coroners
Act
section 20
chapter 10 of the Statutes of Alberta, 1945, is amended by
striking out the words and numerals "Part XV of *The*
Criminal Code of Canada" and by substituting the words
and numerals "Part XXIV of the *Criminal Code*".

5. Section 52 of *The District Courts Act*, being chapter District
Courts Act,
section 52
121 of the Revised Statutes of Alberta, 1942, is struck out
and the following is substituted:

"**52.** (1) The judge of every District Court, or any Court of
record
judge of the Supreme Court performing the duties of a
District Court judge in any district, is hereby constituted a
court of record for the trial at any time and without a jury
of any person for any of the offences mentioned in the
Criminal Code as being within the jurisdiction of the
District Court in Alberta.

"(2) The court so constituted has the powers and duties
that the *Criminal Code* purports to give to District Courts
in Alberta, so far as the Legislature of this Province can
confer the same."

Domestic Relations Act, sections 26, 27 and 30

6. *The Domestic Relations Act*, being chapter 300 of the Revised Statutes of Alberta, 1942, is amended

- (a) as to section 26, subsection (3), clause (a) by striking out the words and numerals "Part XV of *The*" and by substituting the words and numerals "Part XXIV of the",
- (b) as to section 27, subsection (4) by striking out the words and numerals "Part XV of *The*" and by substituting the words and numerals "Part XXIV of the",
- (c) as to section 30, subsection (1) by striking out the words and numerals "Part XV and Part XXII of *The*" and by substituting the words and numerals "Part XXIII and Part XXIV of the".

Family Court Act, section 4

7. Section 4 of *The Family Court Act*, being chapter 32 of the Statutes of Alberta, 1952, is amended

- (a) by striking out clause (d),
- (b) by striking out clause (e) and by substituting the following:
 - "(e) any charge under paragraph (a) of subsection (2) of section 186 of the *Criminal Code* and triable on summary conviction.",
- (c) as to clause (f) by striking out the words and figures "section 291 of the *Criminal Code of Canada*" and by substituting the words and figures "paragraph (b) of subsection (1) of section 231 of the *Criminal Code*".

Fines and Penalties Act, sections 2, 3 and 4

8. *The Fines and Penalties Act*, being chapter 126 of the Revised Statutes of Alberta, 1942, is amended

- (a) as to section 2 by striking out the words and numerals "Part XV of *The*" and by substituting the words and numerals "Part XXIV of the",
- (b) as to section 3 by striking out the numerals "XV" and by substituting the numerals "XXIV",
- (c) as to section 4 by striking out the numerals "XV" and by substituting the numerals "XXIV".

Fire Prevention Act, sections 13 and 17

9. *The Fire Prevention Act*, being chapter 266 of the Revised Statutes of Alberta, 1942, is amended

- (a) as to section 13, subsection (3) by striking out the words "*The Criminal Code of Canada*" and by substituting the words "the *Criminal Code*".
- (b) as to section 17 by striking out the words and numerals "Part XV of *The Criminal Code of Canada*" and by substituting the words and numerals "Part XXIV of the *Criminal Code*".

Improvement Districts Stray Animals Act, sections 16, 30 and 41

10. *The Improvement Districts Stray Animals Act*, being chapter 60 of the Statutes of Alberta, 1953, is amended

- (a) as to section 16, subsection (1), clause (b) by striking out the word "until",

- (b) as to section 30, subsection (4) by striking out the numerals "XV", wherever they occur, and by substituting the numerals "XXIV",
- (c) as to section 41, subsection (1) by striking out the numerals "XV" and by substituting the numerals "XXIV".

11. Section 48 of *The Legal Profession Act*, being chapter 294 of the Revised Statutes of Alberta, 1942, is amended by striking out the words "*The Criminal Code of Canada*" and by substituting the words "the *Criminal Code*". *Legal Profession Act,*
section 48

12. Section 9 of *The Licensing of Trades and Businesses Act*, being chapter 313 of the Revised Statutes of Alberta, 1942, is amended by striking out the words "*The Criminal Code of Canada*" and by substituting the words "the *Criminal Code*". *Licensing of Trades and Businesses Act*
section 9

13. Section 203, subsection (2) of *The Liquor Control Act*, being chapter 67 of the Statutes of Alberta, 1953, is amended by striking out the numerals "XV" and by substituting the numerals "XXIV". *Liquor Control Act*
section 203

14. Section 35, clause (b) of *The Medical Profession Act*, being chapter 295 of the Revised Statutes of Alberta, 1942, is amended by striking out the words "*The Criminal Code of Canada*" and by substituting the words "the *Criminal Code*". *Medical Profession Act,*
section 35

15. *The Police Act*, being chapter 90 of the Statutes of Alberta, 1953, is amended *Police Act,*
sections 10,
13 and 21

- (a) as to section 10, subsection (2) by striking out the figures "770" and by substituting the figures "744",
- (b) as to section 13 by striking out the numerals "XV" and by substituting the numerals "XXIV",
- (c) as to section 21 by striking out the numerals "XV" and by substituting the numerals "XXIV".

16. *The Private Detectives Act*, being chapter 14 of the Statutes of Alberta, 1948, is amended *Private Detectives Act,*
sections 3
and 9

- (a) as to section 3, clause (a) by striking out the words "of *Canada*".
- (b) as to section 9, subsection (1) by striking out the words "of *Canada*".

17. Section 12, subsection (1), clause (a) of *The Real Estate Agents' Licensing Act*, being chapter 15 of the Statutes of Alberta, 1947, is amended by striking out the word "*Canada*". *Real Estate Agents' Licensing Act*
section 12

18. Section 2, clause (c) of *The Slot Machine Act, 1954* being chapter 99 of the Statutes of Alberta, 1954, is amended by striking out subclause (ii) and by substituting the following: *Slot Machine Act,*
section 2

“(ii) does not include any automatic machine or slot machine that is defined under section 170 of the *Criminal Code* as a slot machine.”.

Solemnization of Marriage Act, Schedule

19. The note to Form E in the Schedule of *The Solemnization of Marriage Act*, being chapter 303 of the Revised Statutes of Alberta, 1942, is amended by striking out the words and figures “(By section 174 of the *Criminal Code* of Canada perjury is an indictable offence punishable by fourteen years’ imprisonment)” and by substituting the words “(A false assertion in an affidavit required by law may make a person liable for imprisonment for a term of fourteen years)”.

Venereal Diseases Prevention Act, section 4

20. Section 4, subsection (1) of *The Venereal Diseases Prevention Act*, being chapter 196 of the Revised Statutes of Alberta, 1942, is amended by striking out clause (a) and by substituting the following:

“(a) if a person is under arrest or in custody on a charge of having committed an offence under any of the following sections of the *Criminal Code*,

“(i) subsection (1) of section 182,

“(ii) paragraph (a) or (b) of subsection (2) of section 182,

“(iii) paragraph (c) of subsection (1) of section 164, or

“(iv) paragraph (d) of subsection (1) of section 164 by reason of living on the avails of prostitution,

then the justice shall order that the person in arrest or custody be physically examined by a medical practitioner appointed by the justice and in the manner and to the extent prescribed by the regulations and at such place as may be directed by the justice.”.

Water Resources Act, section 68

21. *The Water Resources Act*, being chapter 65 of the Revised Statutes of Alberta, 1942, is amended as to section 68

(a) by striking out the words “who shall for such purposes have the same powers and duties as if he had been appointed the deputy of the Minister,” where they occur in clause (a) of subsection (1),

(b) by striking out the words “and all such orders and regulations shall be laid before the Legislative Assembly within fifteen days after the opening of the session next after the date of publication” where they occur in subsection (2).

St. Mary and Milk Rivers Development Act, section 73

22. Section 73 of *The St. Mary and Milk Rivers Development Act, 1950*, being chapter 68 of the Statutes of Alberta, 1950, is amended by striking out the words “Lieutenant Governor in Council” and by substituting the word “Minister”.

23. *The Public Service Act, 1954*, being chapter 86 of the Statutes of Alberta, 1954, is amended *Public Service Act, 1954, sections 6 and 29*

(a) as to section 6, subsection (1), clause (a) by striking out the words "the Director of Water Resources,"

(b) by striking out section 29 and by substituting the following:

"**29.** The head of a Department

"(a) may, subject to rules and regulations made under section 11, grant *Vacations, sick leave and leave of absence*

"(i) annual vacation not exceeding three weeks' duration to each employee in the Department,

"(ii) sick leave not exceeding twelve months to an employee in the Department,

"(b) may grant extended leave of absence not exceeding twelve months to an employee in the Department in the case of pressing necessity."

24. (1) *The Alberta Gas Trunk Line Company Act*, being chapter 37 of the Statutes of Alberta, 1954, is amended by adding immediately after section 5 the following new section: *Alberta Gas Trunk Line Company Act, section 5a*

"**5a.** The liability of a shareholder in the company is limited to the amount, if any, unpaid on the shares respectively held by him." *Liability of shareholder limited*

(2) Upon the coming into force of this section it shall be deemed to have been in force at all times on and after the eighth day of April, 1954. *Coming into force*

25. *The University Act*, being chapter 179 of the Revised Statutes of Alberta, 1942, is amended *University Act sections 61 and 63*

(a) as to section 61, subsection (2), clause (p),

(i) by striking out subclause (xi) and by substituting the following:

"(xi) the Association of Chartered Physiotherapists of Alberta;"

(ii) by striking out subclause (xii),

(iii) by renumbering subclause (xiii) as subclause (xii),

(b) as to section 63 by adding at the end thereof the words "and of the Alberta Teachers' Association".

26. Section 27 of *The Water, Gas, Electric and Telephone Companies Act*, being chapter 260 of the Revised Statutes of Alberta, 1942, is amended by adding immediately after the word "president" the words "or general manager". *Water, Gas, Electric and Telephone Companies Act, section 27*

27. Section 33 of *The Agricultural Societies Act*, being chapter 246 of the Revised Statutes of Alberta, 1942, is amended *Agricultural Societies Act, section 33*

- (a) as to subsection (6) by striking out the words "paragraphs (b), (c), (d), (e), (f) and (g)" and by substituting the words "clause (b) of subsection (2)",
- (b) as to subsection (6) by adding at the end thereof the words ", unless the Minister otherwise directs".

*Retirement
Annuities
Act,
section 4*

28. Section 4 of *The Retirement Annuities Act*, being chapter 4 of the Statutes of Alberta, 1951, is amended by striking out the words "not less than three years" and by substituting the words "the three years immediately preceding application".

*Railways
and
Telephones
Department
Act*

29. (1) *The Railways and Telephones Department Act*, being chapter 17 of the Revised Statutes of Alberta, 1942, is amended

- (a) as to the long title by striking out the words "Railways and",
- (b) as to section 1 by striking out the words "Railways and",
- (c) as to section 2 by striking out the words "Railways and", wherever they occur,
- (d) as to section 3
 - (i) by striking out the words "a Deputy Minister of Railways and", where they occur in subsection (1),
 - (ii) by striking out the word "their", where it occurs in subsection (1), and by substituting the word "his",
 - (iii) by striking out the word "Each", where it occurs in subsection (2), and by substituting the word "The".

(2) A reference in any Act, regulation or order to *The Railways and Telephones Department Act*, to the Minister of Railways and Telephones, or to the Department of Railways and Telephones, shall be deemed to be a reference to *The Telephones Department Act*, the Minister of Telephones, or the Department of Telephones, respectively.

*Lloydminster
Hospital Act,
section 3*

30. (1) Section 3 of *The Lloydminster Hospital Act*, being chapter 19 of the Statutes of Alberta, 1948, is amended by striking out the words and figures "All of townships 46, 47, 48 and 49 and that portion of township 45, north of the Battle River, all in range 27, west of the third meridian in the rural municipality of Wilton No. 472. Also all of townships 47, 48 and 49 and that portion of townships 45 and 46, north of the Battle River, all in range 26, west of the third meridian. Also the east half of township 49, range 26, west of the third meridian" and by substituting the words and figures "All of townships 46, 47, 48 and 49 and that portion of township 45, north of the Battle River, all in range 28, west of the third meridian in the rural municipality of Wilton No. 472. Also all of townships

47, 48 and 49 and that portion of townships 45 and 46, north of the Battle River, all in range 27, west of the third meridian. Also the west half of township 49, range 26, west of the third meridian”.

(2) Upon the coming into force of this section subsection (1) shall be deemed to have been in force at all times on and after the fifteenth day of April, 1948. Coming into force

31. *The Public Utilities Act*, being chapter 28 of the Revised Statutes of Alberta, 1942, is amended *Public Utilities Act,*
sections
21, 70g

- (a) as to section 21 by striking out clause (i),
- (b) as to section 53
 - (i) by adding immediately after the words “any order”, where they occur in subsection (6), the words “or regulation”,
 - (ii) by adding immediately after the words “any order”, where they occur in subsection (7), the words “or regulation”,
 - (iii) by adding immediately after the words “of orders”, where they occur in subsection (9), the words “and regulations”,
 - (iv) by adding immediately after the words “Every order”, where they occur in subsection (10), the words “and regulation”,
- (c) by adding immediately after section 70f the following new section:

“**70g.** A contract or other arrangement heretofore or hereafter made, with respect to the purchase or acquisition of property in gas to be removed from the Province for use or consumption elsewhere than within the Province, between the owner or producer of any gas or the owner or operator of any absorption or gas processing plant and a person who has obtained a permit for the removal of such gas from the Province pursuant to the provisions of *The Gas Resources Preservation Act* shall not be changed or varied by the Board, either as to prices or otherwise.”. *Contract under Gas Resources Preservation Act*

32. *The Public Service Vehicles Act*, being chapter 276 of the Revised Statutes of Alberta, 1942, is amended *Public Service Vehicles Act,*
sections 8a,
31, 42 and 65

- (a) as to section 8a
 - (i) by adding immediately after the words “municipal district”, where they occur in subsection (1), the words “or the Special Areas Board”,
 - (ii) by adding immediately after the word “council”, where it occurs in clauses (a), (b) and (c) of subsection (1), the words “or the Special Areas Board”,
 - (iii) by adding immediately after the word “council”, wherever it occurs in subsection (2), the words “or the Special Areas Board”,

- (b) as to section 31, subsection (1), by adding immediately after clause (d) the following new clause:
 - “(e) in the cab of a truck generally operated by a farmer for the purposes of his farm.”,
- (c) by striking out section 42,
- (d) as to section 65
 - (i) by striking out the words “or maximum weight”, where they occur in subsection (4),
 - (ii) by adding immediately after subsection (4) the following new subsection:
 - “(4a) Any person who violates any provision of this Act in respect of maximum weight or any regulation in respect thereof is guilty of an offence and liable on summary conviction,
 - “(a) if the maximum weight of the vehicle in respect of which the offence was committed is less than twenty thousand pounds,
 - “(i) to a fine of not less than twenty dollars and costs nor more than fifty dollars and costs, for a first offence,
 - “(ii) to a fine of not less than fifty dollars and costs nor more than one hundred dollars and costs, for a second offence, and
 - “(iii) to a fine of not less than one hundred dollars and costs nor more than two hundred dollars and costs, or to have his license suspended, for a third or subsequent offence,
 - or
 - “(b) if the maximum weight of the vehicle in respect of which the offence was committed is twenty thousand pounds or greater, to a penalty of three cents a pound for each pound the vehicle and load is in excess of the lawful maximum weight.”.

*Summary
Convictions
Act,
sections 5,
7 and 16*

33. *The Summary Convictions Act*, being chapter 147 of the Revised Statutes of Alberta, 1942, is amended

- (a) as to section 5 by striking out the words “*Criminal Code of Canada*” and by substituting the words “*Criminal Code*”,
- (b) as to section 7, subsections (1) and (2) by striking out the figures and words “770 of the *Criminal Code of Canada*” and by substituting the figures and words “744 of the *Criminal Code*”,
- (c) as to section 16, subsection (2) by striking out the figures and word “1012 and 1013” and by substituting the figures and word “581 to 592”.

*Companies
Information
Act repealed*

34. *The Companies Information Act*, being chapter 242 of the Revised Statutes of Alberta, 1942, is hereby repealed.

35. Section 17, subsection (15) of *The Alberta Chartered Accountants Act*, being chapter 286 of the Revised Statutes of Alberta, 1942, is amended by striking out the words "*The Criminal Code of Canada*" and by substituting the words "the *Criminal Code*".

Alberta Chartered Accountants Act, section 17

36. *The Pipe Line Act, 1952*, being chapter 67 of the Statutes of Alberta, 1952, is amended

Pipe Line Act, sections 7a, 18 and 33a

- (a) by adding immediately after section 7 the following new section:

"**7a.** (1) Any permit heretofore or hereafter granted under section 7 may, subject to any conditions prescribed by the Minister, grant the right to the permittee to construct, maintain and operate the pipe line on, across, over or under any roads, road allowances, streets, lanes and public highways vested in Her Majesty in right of the Province of Alberta.

Rights of permittee

"(2) The provisions of this Act with respect to the taking and appropriation of land held by Her Majesty in right of the Province of Alberta do not apply in the case of roads, road allowances, streets, lanes and public highways vested in Her Majesty in right of the Province of Alberta.

"(3) Where any right is granted to a permittee to construct, maintain and operate a pipe line on, across, over or under any road, road allowance, street, lane or public highway, the permittee shall take care to preserve, as far as may be, a free and uninterrupted passage to and over the road, road allowance, street, lane or public highway during construction and maintenance of the pipe line."

- (b) by striking out section 18,
 (c) by adding immediately after section 33 the following new section:

"**33a.** The Minister may, by order in a particular case or by general regulations, prescribe the placing of vent pipes in a pipe line at such locations, in such manner and of such kind as the Minister may determine."

Vent pipes

37. *The Alberta Insurance Act*, being chapter 201 of the Revised Statutes of Alberta, 1942, is amended

Alberta Insurance Act, sections 274 and 276b

- (a) as to section 274 by adding immediately after clause (f) the following:

"or, where the coverage is expressly excluded by an endorsement approved by the Superintendent:

"(g) for loss or damage arising from the ownership, use or operation of any machinery or apparatus, including its equipment, mounted on or attached to the automobile with a separate power or heating unit, while at the site of the use or operation of such machinery or apparatus."

(b) as to section 276*b* by striking out subsection (2) and by substituting the following:

“(2) Insurance under a valid owner’s policy shall, as respects the liability arising from the ownership, use or operation of the automobile specifically described in the policy, be a first loss insurance, and insurance attaching under any other valid motor vehicle policy shall be excess insurance only.”.

Mental Diseases Act,
section 9

38. Section 9, subsection (1) of *The Mental Diseases Act*, being chapter 192 of the Revised Statutes of Alberta, 1942, is amended by adding immediately after the words “to the custody of” the words “a hospital or”.

Coming into force

39. (1) This Act, except sections 2 to 20 inclusive, section 33, section 35 and section 37 thereof, comes into force on the day upon which it is assented to.

(2) Sections 2 to 20 inclusive, section 33 and section 35 come into force on the first day of April, 1955.

(3) Section 37 shall come into force upon a date to be fixed by Proclamation of the Lieutenant Governor in Council.

THIRD SESSION
TWELFTH LEGISLATURE
4 ELIZABETH II
1955

BILL

An Act to amend and repeal Certain
Provisions and References
in the Statute Law

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MAYNARD
