

Bill No. 59 of 1955

A BILL TO AMEND THE COMMUNAL PROPERTY  
ACT

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NOTE

This Bill amends *The Communal Property Act*, being chapter 16 of the Statutes of Alberta, 1947.

Section 5 is amended by adding a new subsection which authorizes a colony established before the 1st of March, 1944, which held less than sixty-four hundred acres on that date, to increase its holdings to that amount. This puts a colony established before the 1st of March, 1944, in the same position as a colony established between the 1st day of May, 1947, and the 1st day of May, 1951.

Section 6 is amended by adding thereto three new subsections. Colonies established after the 1st day of May, 1951, are subject to zoning provisions whereby the maximum acreage that any one colony may hold in a zone is prescribed by regulations. The amendment limits the total acreage that can be held by a colony located in two or more zones to the maximum permitted acreage in any one of these zones. Under the Act at present such a colony may hold the combined maximum of each of the zones. The new subsection (6) enables any colony which by the zoning regulations is limited to a holding between eighty and one hundred and sixty acres, to acquire a full quarter section with the permission of the Lieutenant Governor in Council. The new subsection (7) permits a colony to purchase in the discretion of the Director a part of a section immediately adjoining the colony and within forty miles of another colony.

A new section 8 is added which empowers the Director to require colonies to submit statements showing the land held by them.

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. 59 of 1955

An Act to amend The Communal Property Act

(Assented to \_\_\_\_\_, 1955)

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

1. *The Communal Property Act*, being chapter 16 of the Statutes of Alberta, 1947, is hereby amended.

Section 5  
amended

2. Section 5 is amended by adding immediately after subsection (5) the following new subsection:

“(6) Notwithstanding the provisions of subsection (1), where on the first day of March, 1944, a colony held less than sixty-four hundred acres of land, such colony may, subject to subsection (1) of section 6, acquire by purchase, lease or otherwise, such lands, being lands adjacent to its present holdings, as when added to its present holdings will not increase the total acreage beyond sixty-four hundred acres.”.

Section 6  
amended

3. Section 6 is amended by adding immediately after subsection (4) the following new subsections:

“(5) Where a colony was established in the Province on or after the first day of May, 1951, and authorized to acquire land in more than one zone, the colony shall not acquire land that increases its total holdings beyond the maximum acreage permitted to be held in any one of the zones in which the colony is authorized to acquire land.

“(6) Where the acreage to which a colony is entitled by regulations made pursuant to section 5a is more than eighty acres, but less than one hundred and sixty acres, the Director may, notwithstanding the regulations, authorize the colony to acquire a full quarter section.

“(7) Notwithstanding subsection (2) where a colony was established in the Province on or after the first day of May, 1951, and where, according to the system of surveys under *The Alberta Surveys Act*, any part of a section of land immediately adjoining the colony's holdings lies within forty miles of another established colony, the colony, at the discretion of the Director, may purchase, lease or otherwise acquire all of such section, if by so doing the colony does not exceed the authorized acreage of the zone in which it is located.”.

**4.** The following new section is added immediately after section 7: New section 8

**“8.** (1) A colony shall, upon the written request of the Director, furnish to him, in such form as he may require, a statement showing by legal description all lands owned, leased, or in any way operated by the colony. Statement showing lands owned, etc.

**“(2)** The Director may summon the officers of a colony to a hearing to inquire into the terms under which the colony owns, leases, or in any way operates any land.” Inquiry

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

THIRD SESSION  
TWELFTH LEGISLATURE  
4 ELIZABETH II  
1955

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**BILL**

An Act to amend The Communal  
Property Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. HINMAN

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