

Bill No. 63 of 1955

A BILL TO AMEND THE SEISMOGRAPHIC  
RECORDING AND DRILLING EQUIPMENT  
LICENSING ACT

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NOTE

This Bill amends *The Seismographic Recording and Drilling Equipment Licensing Act*, being chapter 104 of the Statutes of Alberta, 1953.

Section 5 is amended to indicate that an owner of seismographic recording and drilling equipment is required to obtain a licence therefor only if the equipment is intended to be used in a municipality in the Province.

Section 7 is amended. A new subsection (2) provides that equipment under this Act but not required to be licensed in any year shall be registered with the Minister.

Section 8 is amended to make it clear that while a licence plate remains with the equipment covered by the licence, the licence itself may be transferred to a new "owner" of the equipment.

Section 9 is amended to require any transfer of "ownership" of seismographic recording and drilling equipment to be notified to the Department of Municipal Affairs and it will be an offence for a transferor not to notify the Department of any such transfer. Operators will no longer be required to report a movement of their equipment to a municipality. Subsection (4) makes failure to comply with the provisions of this section an offence.

Section 15 is amended. Subsection (1) is amended to clarify references to equipment. Subsection (3) is added to permit the Minister to calculate and collect a licence fee in a case where a person is convicted of using equipment without obtaining a licence therefor.

Section 15a is added and permits prosecution for an offence under this Act to be brought at any time within two years of its commission.

Section 15b is new and empowers the Minister to make refunds in certain cases.

This Bill is retroactive to the 1st day of January, 1955.

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. 63 of 1955

## An Act to amend The Seismographic Recording and Drilling Equipment Licensing 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 Seismographic Recording and Drilling Equipment  
Licensing Act*, being chapter 104 of the Statutes of Alberta,  
1953, is hereby amended.

Section 5  
amended

**2.** Section 5 is amended

- (a) as to subsection (1) by striking out the word "may"  
and by substituting the words "shall, before the  
equipment is used for seismographic exploration  
purposes in a municipality in any year,"
- (b) as to subsection (2)
  - (i) by striking out the words "owned by the appli-  
cant" and by substituting the words "for  
which a licence is required",
  - (ii) by adding at the end of clause (b) the word  
"and",
  - (iii) by striking out clause (c) and by substituting  
the following:  
"(c) the sale price at which a new unit of  
similar specifications is quoted at current  
market prices."

Section 7  
amended

**3.** Section 7 is amended

- (a) by renumbering the section as subsection (1),
- (b) by adding immediately after subsection (1) the  
following new subsection:  
"(2) Notwithstanding any other provision of  
this Act, the owner of equipment not required to  
be licenced under this Act in any year shall register  
the equipment with the Minister in such manner  
as the Minister may by order require."

Section 8  
amended

**4.** Section 8 is amended by striking out subsection (3)  
and by substituting the following:

"(3) Until the licence for which a licence plate has been  
issued expires, the licence plate shall not be removed from  
the unit or the vehicle, as the case may be, it is required  
to be attached to, but a licence may during the licence year  
be transferred, in the records of the Department of Municipi-  
pal Affairs, to any new owner of the equipment."

**5. Section 9 is amended**Section 9  
amended

- (a) by striking out clauses (c) and (d) of subsection (1),
- (b) by adding immediately after subsection (2) the following new subsections:

“(3) When the legal possession of seismographic recording and drilling equipment, other than explosives and detonators, is transferred by sale, lease or rental or other agreement, the person so transferring the legal possession of the equipment shall notify the Department of Municipal Affairs of the transfer within ten days thereof and whether or not the equipment is at that time licensed.”

Notice of  
transfer

“(4) A person who fails to comply with any requirement of this section is guilty of an offence and liable on summary conviction to a fine of not less than one hundred dollars nor more than five hundred dollars.”

Penalty

**6. Section 15 is amended**Section 15  
amended

- (a) as to clauses (a) and (b) of subsection (1) by adding immediately after the word “equipment” the words “for which a licence is required and”,
- (b) by adding immediately after subsection (2) the following new subsection:

“(3) Where a person is convicted for an offence under clause (a) of subsection (1), the Minister may, from whatever information he has available, calculate the annual licence fee for the equipment in respect of which the offence was committed and may collect the computed fee by action in any court of competent jurisdiction as a debt due to the Crown, notwithstanding the imposition of any penalty imposed by the convicting magistrate or justice.”

**7. The following new sections are added immediately after section 15:**New  
sections  
15a and 15b

“**15a.** A prosecution for an offence under this Act may be commenced at any time within two years of the commission of an alleged offence.”

Commence-  
ment of  
prosecution

“**15b.** The Minister may refund in whole or in part any moneys received by way of a licence fee when

Refund of  
licence fee

- “(a) the licence fee or any part thereof was paid or received in error, or
- “(b) the equipment for which the licence fee was collected or received was not used for seismographic exploration purposes in any municipality during the licence year.”

**8. 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

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**BILL**

An Act to amend The Seismographic  
Recording and Drilling Equipment  
Licensing 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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