

No. 104

3rd Session, 13th Legislature, Alberta
5 Elizabeth II, 1957

BILL 104

A Bill to amend The Commorientes Act

HON. MR. MANNING

EDMONTON, ALBERTA
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1957

Explanatory Note

2. Section 2 of The Commorientes Act provides a rule for fixing which person shall be deemed to have died first when two or more persons die at the same time or in certain circumstances rendering it uncertain which of them survived the other. Under section 269 of The Alberta Insurance Act, (R.S.A. 1955) which is the Life Insurance Part of that Act, there is a different rule when a person whose life is insured and a beneficiary die at the same time or in the same disaster. Therefore, at the present time the rule in The Commorientes Act has been made subject to this rule in the Life Insurance Part of The Alberta Insurance Act. However, a new Accident and Sickness Part of The Alberta Insurance Act will be proposed at this session, to come into force on proclamation. It contains a section 230e that is the counterpart of section 190, but relates to the case where a person is insured under an accident policy and is killed, and it is uncertain whether he or the beneficiary died first. It is obvious that the rule in The Commorientes Act should be made subject to this new section also if it is brought into force. That is the purpose of the present Bill.

BILL

No. 104 of 1957

An Act to amend The Commorientes Act

(Assented to _____, 1957)

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

- 1.** *The Commorientes Act*, being chapter 51 of the Revised Statutes of Alberta, 1955, is hereby amended.
- 2.** Section 2, subsection (2) is amended by striking out the word and figures "section 269" and by substituting the words and figures "sections 269 and 230e".
- 3.** This Act comes into force on a day to be fixed by proclamation of the Lieutenant Governor in Council.

No. 104

THIRD SESSION

THIRTEENTH LEGISLATURE

5 ELIZABETH II

1957

BILL

An Act to amend The Commorientes
Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING
