

No. 101

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4th Session, 13th Legislature, Alberta  
6 Elizabeth II, 1958

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## **BILL 101**

A Bill to amend The Oil and Gas Royalties Dividend Act

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HON. MR. HINMAN

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## Explanatory Note

General. This Bill will amend The Oil and Gas Royalties Dividend Act to provide for the establishment of a Royalties Dividend Branch to which all applications for citizens dividends will be made. The dividend will be paid directly by the Provincial Treasurer and all provisions relating to or referring to "paying agencies" are removed.

**2.** (a) The definition of "eligible citizen" is amended to refer to the new section 7 (see clause 4 of this Bill) replacing the present section 8.

(b) The definition of "paying agency" is removed.

**3.** A Royalties Dividend Branch is established. Section 4 presently reads:

"4. A citizens dividend is payable only during the calendar year for which it is declared to each eligible citizen upon application therefor at any paying agency."

**4.** Sections 6 to 13 which mainly provide for the payment of dividends through paying agencies are struck out.

"6. Citizens dividend to be paid by the Provincial Treasurer.

"7. Eligibility; the present section 8 reworded to relate to the time of application and to change the eligibility in section 7(1) (a).

# BILL

No. 101 of 1958

An Act to amend The Oil and Gas Royalties Dividend Act

(Assented to \_\_\_\_\_, 1958)

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

**1.** *The Oil and Gas Royalties Dividend Act*, being chapter 64 of the Statutes of Alberta, 1957, is hereby amended.

**2.** Section 2 is amended

- (a) as to clause (a) by striking out the figure "8" and by substituting the figure "7",
- (b) by striking out clause (c).

**3.** Section 4 is struck out and the following is substituted:

"**4.** There shall be a branch of the Public Service of the Province which shall be known as the Royalties Dividend Branch and which shall be attached to and form part of the Department of the Provincial Treasurer."

**4.** The heading immediately preceding section 6 and sections 6 to 13 are struck out and the following are substituted:

"**6.** The Provincial Treasurer shall pay to each eligible citizen who applies in accordance with this Act and the regulations the amount of the citizens dividend declared pursuant to section 5.

"**7.** (1) A person is eligible to receive a citizens dividend who on the day upon which he applies for the citizens dividend

- "(a) is a Canadian citizen or a British subject,
- "(b) is of the full age of twenty-one years,
- "(c) is a resident of Alberta and is in the Province, and
- "(d) has been a resident of Alberta for the immediately preceding two years and for a total of not less than ten years.

"(2) A person is not eligible to receive a citizens dividend who has been convicted of an offence

- "(a) for obtaining or attempting to obtain a citizens dividend that he was not entitled to receive under this Act, or

"8. Self-explanatory.

"9. Application to be made before December 31st.

"10. Time and manner of payment.

"11. Recovery of dividends wrongly claimed; the present section 12(5).

"12. Power to make regulations.

“(b) for aiding or abetting another person to obtain or attempt to obtain a citizens dividend that such person was not entitled to receive under this Act.

“8. An application by an eligible citizen for a citizens dividend

“(a) shall be made on or before the thirty-first day of December of the calendar year for which the dividend applied for is declared,

“(b) shall be made upon an application form prescribed by the regulations, and

“(c) shall be accompanied by such identification or proof of identity and status as may be required by the regulations.

“9. (1) The completed application form shall be presented or mailed, postage prepaid, to the Royalties Dividend Branch on or before the thirty-first day of December of the calendar year in which the dividend applied for is declared.

“(2) The Royalties Dividend Branch shall not accept any application form that is presented or where mailed, postmarked, later than the thirty-first day of December of the calendar year for which the dividend is declared.

“10. (1) The Provincial Treasurer may pay the citizens dividend at any time before the first day of April in the year next following the year in which the dividend was declared.

“(2) The payment of a citizens dividend may be made by cheque or in such other manner as may be prescribed by the regulations.

“11. Where a person has received a citizens dividend that he is not entitled to receive the amount of the citizens dividend shall be deemed a debt due to the Crown and is recoverable from the person or his estate.

“12. (1) The Lieutenant Governor in Council may make regulations governing the method of payment of citizens dividends in respect of eligible citizens who are

“(a) in mental institutions or other institutions,

“(b) physically or mentally incapacitated, but not in an institution, or

“(c) so situated in the Province that it would be difficult for them to make application for the citizens dividend.

“(2) Without in any way restricting the generality of subsection (1), where a person is incapable of managing his own affairs the regulations may provide that

“(a) where an agency, person or trustee has been appointed under or pursuant to any Act of the Province or of Canada to manage the affairs of the incapacitated person or to receive any pension or allowance for the incapacitated person the agency,

"13. Commissioner for oaths.

**5.** Section 15(a) presently reads:

"15. The Lieutenant Governor in Council may

"(a) from time to time prescribe forms for use under this Act and add to or otherwise vary any of the forms in the Schedule as may be advisable,".

The power to prescribe all forms is given to the Lieutenant Governor in Council.

**6.** Forms prescribed by the repealed sections 9 and 10 are removed. See clause 5(a).

person or trustee may be appointed trustee of the incapacitated person for the purpose of applying for and receiving the citizens dividend, and

“(b) where there is no person to appoint as trustee pursuant to clause (a) the Provincial Treasurer in his discretion may appoint the husband or wife of the incapacitated person or the son, daughter, grandson or granddaughter, or the mother or father, or the Public Trustee or any responsible person to be the trustee of the incapacitated person for the purpose of applying for and receiving the citizens dividend.

“13. The Lieutenant Governor in Council may by order empower any member of the Public Service or any other person who is designated by the Provincial Treasurer to administer any oath or take any statutory declaration required to be administered to or be taken by any person for the purposes of this Act and the regulations, any person so empowered is a commissioner for taking affidavits or statutory declarations under this Act or the regulations.”.

5. Section 15, clause (a) is amended by striking out the words “and add to or otherwise vary any of the forms in the Schedule as may be advisable”.

6. The Schedule is repealed.

7. This Act comes into force on the day upon which it is assented to.

No. 101

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FOURTH SESSION

THIRTEENTH LEGISLATURE

6 ELIZABETH II

1958

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**BILL**

An Act to amend The Oil and Gas  
Royalties Dividend 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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