

No. 48

5th Session, 13th Legislature, Alberta
7 Elizabeth II, 1959

BILL 48

A Bill to amend The County Act

HON. MR. HOOKE

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Edmonton, Alberta, 1959

Explanatory Note

2. Section 4(1) (a1) reads, as relevant:

"4. (1) The Lieutenant Governor in Council by the order establishing the county may,

(a1) incorporate into any county for school administrative purposes only one or more rural school districts situate wholly or partly outside the boundaries of the county,".

3. The power contained in section 4(1) (a1), mentioned in note to clause 2, applies to the incorporating order. This amendment would empower the Minister, after an incorporation of a county, to add to or exclude from a county, for school administrative purposes, a school district situate outside a county.

4. Where a school division included in a county "for school administrative purposes only" contains a town or village school district, that district does not obtain representation in the school committee as this section presently stands. The amendment will be applicable on and after the fifteenth of September, 1959, so as not to disturb present representation. Section 17 (1) presently reads:

"17. (1) If all or part of a school division included in a county contains a school district that includes a town or village, such town or village

(a) shall be deemed to be included in the county for school purposes, and

(b) shall be represented on the school committee in accordance with the provisions of subsections (2), (3) and (4)."

5. This amendment is for the purpose of clarifying the intent of this provision. Section 17a presently reads:

"17a. (1) Where a school division that has been incorporated into a county does not have a common boundary with the county so that an area of the school division lies outside the boundaries of the county, that area of the school division lying outside the county boundaries shall for the purposes of section 17, be deemed to be a town and entitled to representation on the school committee of the county in accordance with subsection (2), (3) or (4) of section 17, as the case may be.

(2) Notwithstanding subsection (1), the election of representatives to the school committee for an area of a school division lying outside the boundaries of the county shall be held and conducted under and pursuant to sections 132 to 145 of The School Act, and not under or pursuant to The Town and Village Act."

BILL

No. 48 of 1959

An Act to amend The County Act

(Assented to _____, 1959)

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

1. *The County Act*, being chapter 64 of the Revised Statutes, is hereby amended.

2. Section 4, subsection (1), clause (a1) is amended by striking out the word "rural".

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

(3) After the establishment of a county, the Minister may by order add to or remove from the county, for school administrative purposes only, a school district situate outside the boundaries of the county.

4. (1) Section 17, subsection (1) is amended by adding immediately before the word "contains" the words ", or included in a county for school administrative purposes only,".

(2) This section is applicable on and after the fifteenth day of September, 1959.

5. Section 17a is struck out and the following is substituted:

17a. (1) Where one or more rural school districts have been incorporated into a county for school administrative purposes only, the school districts so incorporated shall, subject to subsection (2), be dealt with as though they were towns and given representation on the school committee of the county in accordance with subsection (2), (3) or (4) of section 17, as the case may require.

(2) The election of a representative to the school committee for the area of any rural school district included

6. The exclusion of a summer village from the term "village" is only intended to apply in respect of representation on a school committee of a council. This amendment is clarifying only. Section 17b presently reads:

"17b. In sections 16 and 17 the term "villages" or "village" does not include a summer village created under authority of section 23 of The Town and Village Act."

7. Commencement. Clause 6 to be retroactive to date of the inclusion of section 17b in the Act by 1958, c. 12, s. 6.

in the county for school administrative purposes only shall be governed by sections 132 to 145 of *The School Act* and not by *The Town and Village Act*.

6. Section 17*b* is amended by adding immediately at the end thereof the words "where reference is made to representation on the school committee".

7. This Act comes into force on the day upon which it is assented to, and upon so coming into force section 6 shall be deemed to have been in force from and after the fourteenth day of April, 1958.

No. 48

FIFTH SESSION

THIRTEENTH LEGISLATURE

7 ELIZABETH II

1959

BILL

An Act to amend The County Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOOKE
