

No. 110

1st Session, 14th Legislature, Alberta
8 Elizabeth II

BILL 110

A Bill to amend The Alberta Evidence Act

HON. MR. MANNING

Explanatory Note

1. This new section incorporates into The Alberta Evidence Act section 5 of The Prohibition Against Dealing in Crown Lands Act. The section relates to privileged matter in evidence and not to Crown lands. The section will be removed from The Prohibition Against Dealing in Crown Lands Act by clause 3 of Bill No. 58.

BILL

No. 110 of 1960

An Act to amend The Alberta Evidence Act

(Assented to _____, 1960)

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

1. *The Alberta Evidence Act*, being chapter 102 of the Revised Statutes, is amended by adding the following section immediately after section 35:

35a. (1) A subpoena shall not issue out of a court requiring

(a) the attendance of an employee, or
(b) the production of a document of a Department in the official custody or possession of an employee, without an order of the court or a judge thereof.

(2) An employee shall not disclose or be compelled to disclose information obtained by him in his official capacity if a member of the Executive Council certifies that in his opinion

(a) it is not in the public interest to disclose such information, or
(b) the information cannot be disclosed without prejudice to the interests of persons not concerned in the litigation.

(3) The information certified under subsection (2) is privileged.

(4) In this section "employee" means a person employed by the Government or by the Legislative Assembly of the Province, whether his employment is permanent or temporary.

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

No. 110

FIRST SESSION

FOURTEENTH LEGISLATURE

8 ELIZABETH II

1960

BILL

An Act to amend The Alberta
Evidence Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING
