

No. 54

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5th Session, 14th Legislature, Alberta  
11 Elizabeth II

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## **BILL 54**

A Bill to amend The Summary Convictions Act

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HON. MR. MANNING

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## **Explanatory Note**

**1.** Magistrates are given a discretion to grant or refuse time for payment of a fine and costs imposed under a provincial statute or municipal by-law.

**2.** Commencement of Act.

# BILL

No. 54 of 1963

An Act to amend The Summary Convictions Act

(Assented to \_\_\_\_\_, 1963)

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

**1.** *The Summary Convictions Act*, being chapter 325 of the Revised Statutes, is amended by adding the following new section after section 18:

**18a.** (1) A justice who convicts a person under a provincial statute or municipal by-law may direct that any fine adjudged to be paid shall

(a) be paid forthwith, or

(b) be paid at such time as the justice may fix.

(2) Where time has been allowed for payment a justice shall not issue a warrant of committal in default of payment of the fine until the expiration of the time allowed for payment.

(3) Notwithstanding subsection (2), where, before the expiration of the time allowed for payment, the person who has been allowed time for payment appears before a justice and signifies in writing that he prefers to be committed immediately rather than await the expiration of the time allowed, the justice may forthwith issue a warrant committing the person to prison.

(4) Where time has been allowed for payment under subsection (1), the justice who imposed the sentence may, upon application by or on behalf of the person allowed time for payment, allow further time for payment.

(5) In this section "fine" includes a pecuniary penalty and costs.

(6) Subsections (3) to (11) of section 694 of the *Criminal Code* do not apply to proceedings under a provincial statute or municipal by-law.

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

No. 54

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FIFTH SESSION  
FOURTEENTH LEGISLATURE

11 ELIZABETH II

1963

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**BILL**

An Act to amend The Summary  
Convictions Act

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Received and read the

First time .....

Second time .....

Third Time .....

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HON. MR. MANNING

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