

No. 75

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

BILL 75

A Bill to amend The Public Welfare Act

HON. MR. HALMRAST

Explanatory Note

2. Section 3 presently reads:

"3. The Minister out of the moneys appropriated by the Legislature for the purpose may provide material aid or other assistance for a destitute person who is a transient person or a resident of the Province."

The amendment will enable immediate assistance to be given to people in need at a time when questions may exist as to the form of assistance they are entitled to.

3. Section 28, subsection (1) is amended in conjunction with the amendments being made to section 29 by clause 4 of this Bill. Section 28, subsection (1), clause (c) reads:

"28. (1) Neither the municipality nor the Department is under an obligation to provide or to continue to provide material aid to a person representing himself to be a destitute employable person when such person

.....
(c) has refused to perform any unemployment relief work in the municipality, or".

4. Section 29 presently reads:

"29. (1) A destitute employable person who has applied for or is in receipt of any material aid from the municipality or from the Department may be required either

(a) to perform unemployment relief work in a municipality, or
(b) to give an undertaking to the municipality or the Department to repay the total value of the material aid provided for himself and his dependants.

(2) In exercising any power under this section a municipality or the Department shall give special consideration to persons who served in World War I or World War II as members of the Canadian armed forces or in military or naval forces of Great Britain or any of her Allies.

(3) If a person referred to in subsection (2) is required to perform any unemployment relief work, that person shall not be required to be employed therein for more than forty hours in any period of one month.

(4) If a municipality requires a resident who is a recipient of material aid to perform any work or service that is not unemployment relief work, the municipality shall forthwith remove the recipient's name from their lists as a recipient of material aid and shall pay him wages for the work done.

(5) If a municipality requires a person in receipt of material aid living within its corporate boundaries to perform unemployment relief work and that person is a resident of some other municipality, the first mentioned municipality shall secure authority for the ordering of the work or service from the municipality of which the recipient is a resident."

BILL

No. 75 of 1963

An Act to amend The Public Welfare Act

(Assented to _____, 1963)

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

1. *The Public Welfare Act*, being chapter 268 of the Revised Statutes, is hereby amended.

2. Section 3 is amended by adding immediately at the end thereof the words "or a person who is in need of immediate or urgent assistance".

3. Section 28, subsection (1) is amended by adding the word "or" at the end of clause (b) and by striking out clause (c).

4. Section 29 is struck out and the following section is substituted:

29. A destitute employable person who has applied for or is in receipt of any material aid from a municipality or from the Department may be required to give an undertaking to the municipality or the Department to repay the total value of the material aid provided for himself and his dependants.

5. Section 44, clause (b) presently reads:

“(b) “dependant”, with respect to any person, means his spouse and includes any child who is dependent upon him for support and who
(i) is not over the age of sixteen years, or
(ii) is seventeen years of age but attends school and is making satisfactory progress;”.

The amendment will enable a social allowance to be paid to persons over 17 to enable them to finish high school.

6. A new section is added giving the Province a right to place a charge on land where social allowance is provided to meet payments on a mortgage or an agreement for sale.

7. Form of caveat forbidding registration provided by the new section 48a.

5. Section 44, clause (b) is amended by striking out sub-clause (ii) and by substituting the following:

- (ii) is over sixteen but under nineteen years of age and who attends school and is making satisfactory progress;

6. The following section is added immediately after section 48:

48a. (1) Where a social allowance is provided to meet the payments of a land mortgage or an agreement for the sale of land the Minister may cause a caveat in Form A in the Schedule to be registered in the land titles office against the certificate of title for the land.

(2) On the registration of the caveat the Minister has a charge on the land equal to the amount of the payments made both before and after the registration of the caveat.

(3) On receiving the caveat the Registrar shall send a notice of the caveat to

- (a) the mortgagee, where the payments are made for a mortgage, or
- (b) the registered owner, where the payments are made under an agreement for sale.

(4) A transfer of a mortgage or an assignment of an agreement for sale either in whole or in part, or any other arrangement or agreement concerning a mortgage or an agreement for sale on which payments have been made as mentioned in subsection (1) is of no effect without the written consent of the Minister.

(5) No caveat registered pursuant to this section shall be cancelled or withdrawn except by the Minister's request to withdraw the caveat.

(6) No fees are payable to the Registrar for the registration or withdrawal of a caveat under this section.

(7) The Minister may waive the rights given by this section, in whole or in part, for the purpose of any proceedings or for any other reason he thinks is proper.

7. The following Schedule is added immediately after section 52:

SCHEDULE

FORM A

(Section 48a)

CAVEAT FORBIDDING REGISTRATION

To the Registrar of the Alberta Land Registration District.

Take notice that the Minister of Public Welfare for the Province of Alberta, claims an interest to advances made

3. Commencement of Act.

and to be made under section 48a of *The Public Welfare Act* in (*give description of land and title number*) standing in the name of and I forbid the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest unless the instrument or certificate, as the case may be, is expressed to be subject to the said claim.

I appoint the Department of Public Welfare, of Alberta, Edmonton, Alberta, as the place at which notices and proceedings relating hereto may be served.

Dated this day of , 19 .

.....
Minister of Public Welfare
or Agent of the Minister.

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

No. 75

FIFTH SESSION
FOURTEENTH LEGISLATURE
11 ELIZABETH II
1963

BILL

An Act to amend The Public
Welfare Act

Received and read the

First time

Second time

Third Time

HON. MR. HALMRAST
