

1967 Bill 33

Fifth Session, 15th Legislature, 15 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 33

An Act to amend The Judicature Act

THE ATTORNEY GENERAL

First time

Second time

Third time

Printed by L. S. Wall, Queen's Printer, Edmonton

BILL 33

1967

An Act to amend The Judicature Act

(Assented to _____, 1967)

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

1. *The Judicature Act* is hereby amended.
2. Section 7 is amended as to clause (b) by striking out the word "eight" and by substituting the word "nine".
3. The following section is added after section 37:

37a. In any proceeding to which Her Majesty is a party, either as represented by the Attorney General of Alberta or otherwise, costs adjudged to Her Majesty shall not be disallowed or reduced upon taxation merely because the solicitor or the counsel who earned the costs, or in respect of whose services the costs are charged,

 - (a) was a salaried officer of the Crown performing those services in the discharge of his duty and remunerated therefor by his salary, or
 - (b) was for that or any other reason not entitled to recover any costs from the Crown in respect of the services so rendered,

and the costs recovered by or on behalf of Her Majesty in any such case shall be paid into the General Revenue Fund.
4. The following section is added after section 38:

38a. (1) No agreement between a barrister and solicitor and a client respecting the barrister's and solicitor's fees is invalid or unenforceable solely by reason of the fact that the amount of the fee is contingent or dependant, in whole or in part, upon the successful accomplishment or disposition of the matter to which the fee relates, if the agreement is made in compliance with the rules made under this section.

(2) The Lieutenant Governor in Council may by the Consolidated Rules of the Supreme Court make rules prescribing conditions, restrictions and prohibitions to which any such agreement shall be subject.
5. This Act comes into force on the day upon which it is assented to.

