

1969 Bill 4

Second Session, 16th Legislature, 18 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 4

An Act to amend The Judicature Act

THE ATTORNEY GENERAL

First Reading

Second Reading

Third Reading

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

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1969

An Act to amend The Judicature Act

(Assented to _____, 1969)

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, clause (b) is amended by striking out the word “nine” and by substituting the figure “11”.
- 3.** Section 36, subsection (8) is amended by adding after the words “under this section” the words “then, unless the court otherwise directs in that order or in a subsequent order”.
- 4.** This Act comes into force on the day upon which it is assented to.

Explanatory Notes

1. This Bill amends chapter 164 of the Revised Statutes.

2. Section 7 presently reads:

- 7. The Trial Division shall consist
 - (a) of a Chief Justice who shall be styled the Chief Justice of the Trial Division of the Supreme Court of Alberta, and
 - (b) of nine other judges who shall be called and be justices of the Supreme Court of Alberta.

3. Section 36 (8) presently reads:

- (8) When an order appointing a receiver is made under this section, proceedings in the action upon the mortgage or upon the agreement for sale shall be stayed until such time as the order appointing a receiver is discharged.

The existing section prevents action being continued against a person until the order appointing a receiver is discharged.

The amendment will allow action to be continued against a person if the court so orders.