

1970 Bill 40

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 40

An Act to amend The Summary Convictions Act

THE ATTORNEY GENERAL

First Reading

Second Reading

Third Reading

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1970

An Act to amend The Summary Convictions Act

(Assented to _____, 1970)

HER 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* is hereby amended.
- 2.** Section 9 is struck out.
- 3.** This Act comes into force on the day upon which it is assented to.

Explanatory Notes

1. This Bill amends chapter 325 of the Revised Statutes.

2. Section 9 presently reads:

9. (1) Where a term of imprisonment is imposed by a court of summary jurisdiction in respect of the non-payment of a sum of money adjudged to be paid by a conviction or order of that or any other court of summary jurisdiction, that term shall, upon payment to a person authorized to receive the same of a sum of money in excess of all sums of money payable for costs, including the cost of conveyance of the person liable to the imprisonment to prison, be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days of the term as the amount of the sum so paid in excess bears to the sum, exclusive of costs as aforesaid, on account of the non-payment of which the imprisonment is imposed.

(2) In reckoning the number of days by which a term of imprisonment is to be reduced under this section, the first day of imprisonment shall not be taken into account, and in reckoning the sum requisite to secure the reduction of a term of imprisonment, fractions of a cent shall be omitted.

This amendment will have the effect of making the reduction of sentence by payment of fine uniform as to offences under the Criminal Code and Provincial Statutes.