

1971 Bill 66

Fourth Session, 16th Legislature. 20 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 66

An Act to amend The Public Lands Act

THE MINISTER OF LANDS AND FORESTS

First Reading

Second Reading

Third Reading

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BILL 66

1971

AN ACT TO AMEND THE PUBLIC LANDS ACT

(Assented to _____, 1971)

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

1. *The Public Lands Act is hereby amended.*

2. *The following sections are added after section 46:*

46.1 (1) Subject to subsection (3), any person may, without the authority of a disposition, camp on public lands for a maximum of 30 days in any one calendar year if the public lands

- (a) are not subdivided,
- (b) are not held under a disposition,
- (c) are not then being used or actively occupied by the Crown, and
- (d) are lands upon which camping is not prohibited by the regulations or an order of the Minister under subsection (4).

(2) The Minister, upon written application, may grant an extension to any person of the period of time referred to in subsection (1).

(3) Where any person occupies any public lands under the authority only of subsection (1) and is convicted of having committed on those lands an indictable offence or an offence under an Act of the Legislature or the Parliament of Canada, the Minister may order that that person be prohibited from camping on any public lands for a period not exceeding one year from the date of the order.

(4) The Minister may by order prohibit camping on public lands situated in any specified area and not held under dispositions.

46.2 Where any person unlawfully occupies public lands, the Minister may order that the person vacate the land forthwith upon service of the order upon him.

3. *Section 52 is struck out and the following is substituted:*

Explanatory Notes

1. This Bill amends chapter 297 of the Revised Statutes of Alberta 1970.

2. The new section 46.1 will prescribe rules for camping. The new section 46.2 is added as a result of the re-enactment of section 52 of the Act: see section 3 of this Bill.

3. Section 52 presently reads:

52. Any person who is unlawfully occupying public lands and fails to comply with an order by the Minister requiring him to vacate the land forthwith after its service upon him, is guilty of an offence.

52. Every person who contravenes or fails to obey an order of the Minister under section 46.1, subsection (3) or section 46.2 is guilty of an offence and liable on summary conviction

- (a) for the first offence, to a fine of not less than \$25 and not more than \$100 and in default of payment to imprisonment for a term of not more than 20 days;
- (b) for the second offence, to a fine of not less than \$100 and not more than \$500 and in default of payment to imprisonment for a term of not more than 90 days;
- (c) for the third or any subsequent offence, to imprisonment for a term of not more than 90 days.

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

