

1971 Bill 141

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Fourth Session, 16th Legislature, 20 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ~~ALBERTA~~

## **BILL 141**

**An Act to amend The Expropriation Procedure Act**

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MR. DICKIE

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 141

1971

## AN ACT TO AMEND THE EXPROPRIATION PROCEDURE ACT

(Assented to \_\_\_\_\_, 1971)

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

1. *The Expropriation Procedure Act is hereby amended.*
2. *Section 28, subsection (4) is amended by adding the following clause after clause (a):*
  - (a1) such additional amount of compensation as in the opinion of the Board is necessary to enable the owner to relocate his residence in accommodation that is at least equivalent to the accommodation expropriated and without limiting the generality of the foregoing shall include complete indemnification for loss of income, moving expense, business interruption and complete indemnification for the costs of expert witnesses and counsel,
3. *This Act comes into force on the day upon which it is assented to.*

### **Explanatory Notes**

This Bill will amend chapter 130 of the R.S.A. 1970.

The purpose of this amendment is to implement what is colloquially referred to as "home for a home" principle.

The Expropriation Procedure Act does not spell out the basis of compensation and "value to the owner" has been applied.

This amendment has the effect of replacing the "value to the owner" principle with "home for a home" principle and specifically includes complete indemnification for loss of income, moving expense, business interruption and complete indemnification for the costs of expert witnesses and counsel.