

1976 Bill 229

Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 229

THE MATRIMONIAL PROPERTY ACT

MR. CLARK

First Reading

Second Reading

Third Reading

Bill 229
Mr. Clark

BILL 229

1976

THE MATRIMONIAL PROPERTY ACT

(Assented to , 1976)

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

1. In this Act

- (a) "marriage" shall mean a marriage where both parties are domiciled in the Province, being either
 - (i) a lawful marriage, wherever and whenever contracted, excepting any marriage where the parties are living separate and apart by agreement or court order, or
 - (ii) a common law marriage, excepting any common law marriage where the parties have lived together for less than three year in total;
- (b) "property" shall mean real or personal property, wherever situate, which is capable of being disposed of by a will under The Wills Act, but shall not include real property which is, on January 1, 1978, held by the parties to a marriage as joint tenants.

2. The parties to any marriage shall be deemed to own all property acquired at any time during the marriage, by either party individually or by both parties jointly or in common, as tenants in common as to each an undivided one-half interest, unless the parties to the marriage both otherwise agree by a settlement in writing prior to January 1st, 1978 or prior to the marriage after that date.

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