

1983 BILL 97

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First Session, 20th Legislature, 32 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 97**

**LANDLORD AND TENANT AMENDMENT ACT, 1983**

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MRS. EMBURY

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 97  
Mrs. Embury

## BILL 97

1983

### LANDLORD AND TENANT AMENDMENT ACT, 1983

(Assented to \_\_\_\_\_, 1983)

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

1 *The Landlord and Tenant Act is amended by this Act.*

2 *Section 38 is amended*

(a) *in subsection (1)*

(i) *by striking out "and" at the end of clause (a);*

(ii) *in clause (b) by adding "until December 31, 1983, and" after "year";*

(iii) *by adding the following after clause (b):*

(c) *on and after January 1, 1984 at the rate established by regulation.*

(b) *in subsection (4) by striking out "in" and substituting "pursuant to".*

3 *Section 51 is repealed and the following is substituted:*

**51** *The Lieutenant Governor in Council may make regulations*

(a) *governing the practice and procedures in matters before the Provincial Court under this Act;*

(b) *respecting the rate of interest under section 38(1)(c).*

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*In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.*

## Explanatory Notes

**1** This Bill will amend chapter L-6 of the Revised Statutes of Alberta 1980.

**2** Section 38 presently reads in part:

*38(1) Subject to subsection (2), a landlord shall pay annually to the tenant interest on a security deposit consisting of money held by him or anyone on his behalf calculated*

*(a) at the rate of 6% per year, and*

*(b) on and after January 1, 1982 at the rate of 12% per year.*

*(4) If a landlord and tenant agree that interest shall be payable under this section at a rate higher than the rate prescribed in this section, subsections (1), (2) and (3) shall be deemed to refer to the higher rate.*

**3** Section 51 presently reads:

*51 The Lieutenant Governor in Council may make regulations governing the practice and procedures in matters before the Provincial Court under this Act.*