

1984 BILL 258

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 258

**AN ACT TO AMEND THE
MATRIMONIAL PROPERTY ACT**

MR. MUSGREAVE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 258
Mr. Musgreave

BILL 258

1984

AN ACT TO AMEND THE MATRIMONIAL PROPERTY ACT

(Assented to _____, 1984)

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

1 *The Matrimonial Property Act is amended by this Act.*

2 *The following is added after section 7:*

7.1(1) Any present or future rights to a pension which has been earned by either spouse either wholly or partly as a result of service or contributions or a combination thereof during the marriage shall be deemed to be property for the purpose of section 7 and the Court shall make a distribution between the spouses of the benefits accruing under the pension unless the spouses have agreed that the pension shall not be treated as property for the purpose of section 7.

(2) In determining the distribution between the spouses of the benefits of a pension the Court shall take into consideration the number of years of service or contributions or combination thereof that have resulted in the payment of the pension benefit and the number of such years during which the marriage subsisted.

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 M-9 of the Revised Statutes of Alberta 1980.
- 2** New section will provide for distribution of pension benefits in the matrimonial property order taking into account the proportion of the time over which the pension was earned that the marriage subsisted.