

1989 BILL 212

First Session, 22nd Legislature, 38 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 212

**AN ACT TO AMEND THE
SURFACE RIGHTS ACT**

MR. ZARUSKY

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 212
Mr. Zarusky

BILL 212

1989

AN ACT TO AMEND THE SURFACE RIGHTS ACT

(Assented to , 1989)

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

1 The Surface Rights Act is amended by this Act.

2 The following is added after section 31:

31.1 A compensation order is a right attached to the land to which it relates and the benefit of the respondent under it accrues to the owner or occupant of the land and a transfer of the land from one owner or occupant to another owner or occupant is deemed to transfer the benefit under the compensation order to the transferee.

3 Section 32 is amended by repealing clause (d) and substituting:

(d) determine on application the identity of the proper owner or occupant under a compensation order or the owner or occupant who is to receive the benefit under the compensation order pursuant to a transfer of an interest in the land.

Explanatory Notes

- 1 This Bill will amend chapter S-27.1 of the Statutes of Alberta, 1983.
- 2 New section provides that the benefit of the respondent is a right that is transferred with the ownership of the land.
- 3 New clause will enable the Board to determine the identity of the proper person to receive compensation. Section 32(d) presently reads:
 - 32 *The Board may*
 - (d) *notwithstanding anything in this Act, and with or without a hearing, amend a compensation order to show as a respondent a person who is neither an owner or occupant of the land concerned, and to make compensation payable to that person, when the Board is satisfied that that person is legally entitled to receive the compensation that would otherwise be payable to an owner or occupant.*