

Bill No. 41 of 1934.

A BILL RESPECTING THE LIABILITY OF MUNICIPALITIES FOR UNEMPLOYMENT AND OTHER RELIEF.

NOTE.

This Bill provides for the reference to a Judge of the Supreme Court by the Minister of the question of the residence of any recipient of relief when the liability to provide or pay for the relief depends on the residence of the recipient.

Section 6 of the Bill provides for the recovery by suit of the cost of relief provided by the Province or a municipality to a person for whom some other municipality is liable.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 41 of 1934.

An Act respecting the Liability of Municipalities for
Unemployment and other Relief.

(Assented to 1934.)

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

1. This Act may be cited as "*The Relief Liability Act.*"

2. In this Act, unless the context requires a contrary
meaning—

- (a) "Minister" means the member of the Executive
Council for the time being charged with the admin-
istration of unemployment relief;
- (b) "Municipality" means any city, town, village, muni-
cipal district or improvement district;
- (c) "Relief" means any assistance, whether in money,
goods or services, which a municipality is under an
obligation to provide in respect of any person in
necessitous circumstances by reason of unemploy-
ment, or in respect of any indigent person by virtue
of any Act of the Province or of any subsisting
agreement for the time being in force made pursuant
to any Act of the Province respecting relief.

3.—(1) The Minister may by order in writing refer to
the Supreme Court of Alberta for determination any ques-
tion that may arise within six months next after the time
at which any person first receives relief as to the residence
at any time or times or during any period or periods of time
of that person, so far as the place of residence of that person
at any time or times or during any period or periods of time
is material to the determination of the liability of the Gov-
ernment and any municipality, either jointly or severally,
for the payment of the costs of that relief.

(2) The Minister may order a question to be so referred
either upon his own motion or upon the receipt of an appli-
cation in writing by any party to the dispute.

(3) Upon the delivery of an order of the Minister made
in pursuance of this section, to the Clerk of the Supreme
Court at Edmonton or Calgary, the Clerk shall apply to a
judge of the Supreme Court for directions as to the day upon
which the question may be heard, the notice thereof to be

given to any parties, and the parties to be served therewith; and thereupon the Clerk shall proceed to send by mail a notice of the hearing in Form A in the schedule to this Act in accordance with the directions of the judge.

4. Upon the day fixed for the hearing or at any adjournment thereof the judge who gave the directions or any other judge of the Supreme Court acting in his stead, shall proceed to the hearing of the question and after hearing such evidence taken in such manner as he may deem proper, whether under oath or not and whether by parol or affidavit, may make an order declaring the place or places at which or within which the person in receipt of or entitled to relief during any time or times or any period or periods of time material for the purpose of determining the liability of the Government and of any municipality, either jointly or severally, for the cost of providing that person with relief.

5. Every order of a judge pursuant to this Act shall be binding and conclusive upon every party served with notice of the hearing.

6. In case relief has been provided by the Province or a municipality to any person and a municipality or another municipality, as the case may be, is under a liability to provide relief for that person, either wholly or in part, the Province or municipality, as the case may be, shall be entitled to recover by action from the municipality liable for the cost of the relief or the part thereof for which that municipality is liable, and in any action so brought an order made under this Act shall be accepted as conclusive evidence of the matters set forth therein.

7. After the making of an order by a judge pursuant to this Act as to the residence of any person entitled to or in receipt of relief, the municipality which is by reason of the residence of that person as declared in the order liable to provide that relief may by notice in writing require the person in receipt thereof or entitled thereto, not being a person who is an inmate of a hospital or an institution, to return to and take up his abode and continue to reside in that municipality, and if he does not comply with that requirement within thirty days after written notice thereof has been given him, having been previously furnished with reasonable facilities for transportation for that purpose, the right of that person to receive relief shall be suspended until such time as he complies with the requirement.

8. This Act shall come into force on the day upon which it is assented to.

No. 41.

FOURTH SESSION
SEVENTH LEGISLATURE
24 GEORGE V
1934

BILL

An Act respecting the Liability of
Municipalities for Unemployment
and other Relief.

Received and read the

First time

Second time.....

Third time.....

HON. MR. MCPHERSON.

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1934