

Bill No. 92 of 1935.

A BILL TO AMEND THE PUBLIC UTILITIES ACT, 1923,  
AND TO CONTINUE IN FORCE CERTAIN  
PROVISIONS THEREOF.

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NOTE.

Sections 2 and 4 relate to the functions of the Board of Public Utility Commissioners in relation to milk and cream control: orders cancelling or suspending licenses are to take effect at the time specified therein for that purpose; patronage dividends, under certain conditions, are declared not to be discounts or rebates on the price of milk or cream; and the statutory provisions relating to cream and milk control are extended until the first day of July, 1936.

Section 3 makes an amendment requisite by reason of the enactment of *The Alberta Municipal Assessment Commission Act*.

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. 92 of 1935.

An Act to amend The Public Utilities Act, 1923, and to Continue in Force certain Provisions thereof.

(Assented to \_\_\_\_\_, 1935.)

**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 Public Utilities Act, 1923, Amendment Act, 1935.*"

**2.** *The Public Utilities Act, 1923*, being chapter 53 of the Statutes of Alberta, 1923, is hereby amended as to section 51a thereof by adding thereto the following new subsections:

"(11) Any order for the suspension or cancellation of any license issued under the provisions of this section may be served upon the person or corporation affected in the manner set out in section 82 of this Act and shall, notwithstanding any other provisions of this Act, take effect as at the time specified in the order for that purpose.

"(12) For the purposes of this section the expression 'discount or rebate' shall not include any dividend payable to a producer or to a consumer under any scheme or plan providing for the distribution of a patronage dividend payable out of profits in respect of which the Provincial Auditor certifies that—

"(a) the scheme or plan under which the dividend is payable was formulated at least one year before the dividend becomes payable; and

"(b) the profits out of which the dividend is payable have been actually made."

**3.** The said Act is further amended as to section 103 thereof by striking out subsection (3) thereof and by substituting therefor the following:

"(3) Where any area is controlled by any local authority whose financial affairs are by reason of an order made pursuant to this Part under the supervision of the Board, all appeals from the assessment of any property in that area shall, notwithstanding the provisions of *The Alberta Municipal Assessment Commission Act* or any other Act, be to the Board instead of to the Director of Assessments and to the Alberta Assessment Commission, or either of them, and for the purpose of hearing such appeals the Board shall have all the powers conferred by the first mentioned Act upon the Director or the Commission; and the provisions of that Act respecting the procedure relating to appeals shall apply *mutatis mutandis* to appeals to the Board."

4. The provisions of *The Public Utilities Act, 1923, Amendment Act, 1933*, being chapter 18 of the Statutes of Alberta, 1933, as amended by *The Public Utilities Act, 1923, Amendment Act, 1934*, being chapter 65 of the Statutes of Alberta, 1934, shall continue in force from and after the thirtieth day of June, 1935, until the first day of July, 1936.

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

No. 92.

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FIFTH SESSION  
SEVENTH LEGISLATURE  
25 GEORGE V  
1935

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**B I L L**

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Act, 1923, and to Continue in Force  
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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. LYMBURN.

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EDMONTON:  
W. D. McLEAN, KING'S PRINTER  
1935