

Bill No. 35 of 1938.

A BILL TO AMEND THE SUMMARY CONVICTIONS
ACT.

NOTE.

This Bill amends section 8 of the Act which provides for the abatement of the penalty where a term of imprisonment has been partially served. It clarifies the existing provision by providing that where a term of imprisonment is imposed on account of the non-payment of any sum of money, that term shall, upon payment of a sum of money in excess of all sums of money payable for costs (including the cost of conveyance of the person liable to the imprisonment to prison), be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days of the term as the amount of the sum so paid in excess bears to the sum exclusive of costs as aforesaid on account of the non-payment of which the imprisonment is imposed.

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. 35 of 1938.

An Act to amend The Summary Convictions Act.

(Assented to _____, 1938.)

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 Summary Convictions Act Amendment Act, 1938.*"

2. *The Summary Convictions Act*, being chapter 9 of the Statutes of Alberta, 1935, is hereby amended as to section 8 by striking out subsection (1) thereof and by substituting therefor the following:

"**8.**—(1) Where a term of imprisonment is imposed by a court of summary jurisdiction in respect of the non-payment of any sum of money adjudged to be paid by a conviction or order of that or any other court of summary jurisdiction, that term shall, upon payment to any person authorized to receive the same of a sum of money in excess of all sums of money payable for costs (including the cost of conveyance of the person liable to the imprisonment to prison), be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days of the term as the amount of the sum so paid in excess bears to the sum exclusive of costs as aforesaid on account of the non-payment of which the imprisonment is imposed."

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

SIXTH SESSION
EIGHTH LEGISLATURE
1 GEORGE VI
1938

BILL

An Act to amend The Summary Con-
victions Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. ABERHART.

EDMONTON:
A. Shnitka, King's Printer
1938