

Bill No. 57 of 1938.

A BILL TO AMEND THE PROVINCIAL LANDS ACT.

NOTE.

Section 2 amends section 43 of the Act by striking out the proviso thereto relating to interest on instalments of the purchase price of subdivided school lands.

Section 3 permits the issuance of permits, with the approval of the Lieutenant Governor in Council, for the cutting of timber to Departments of the Provincial Government where the timber is to be used on a public work.

The amendments made by section 4 strike out some superfluous words in subsection (2) of section 55 and amend the provisions as to appeal in the case of the forfeiture of licenses or permits by the Minister, by doing away with appeals.

Section 5 extends the application of section 77 of the Act which prohibits members of the permanent staff of the Civil Service of the Province from acquiring Provincial Lands to all members of the Civil Service whether permanent or temporary.

Section 6 amends section 95*a* which relates to the recovery by distress of rents, royalties and dues, and in the case of rents, royalties and dues in respect of minerals the distress may be made on any property found on any land used in connection with the mining operations owned by the person liable for the payments; and in other cases distress may be made upon all goods and chattels found on any land owned, occupied by or controlled by the person liable for the payment of the rent in respect of which the distress is levied.

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. 57 of 1938.

An Act to amend The Provincial Lands 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 Provincial Lands Act Amendment Act, 1938.*"

2. *The Provincial Lands Act*, being chapter 43 of the Statutes of Alberta, 1931, is hereby amended as to section 43 by striking out all the words commencing with the words "Provided that all instalments" to the end of the section.

3. The said Act is further amended as to section 54 by adding at the end thereof the following new subsection:

"(2) Notwithstanding anything contained in sections 46 and 52, with the approval of the Lieutenant Governor in Council the Minister may issue permits for the cutting of timber to any Department of the Provincial Government provided that the timber so cut is to be used for the construction or maintenance or both of any public work."

4. The said Act is further amended as to section 55,—

- (a) by striking out the words "as hereinafter provided" where the same occur in subsection (2) thereof; and
- (b) by striking out subsections (4), (5), and (6) thereof and by substituting therefor the following:

"(4) Every order made by the Minister pursuant to this section shall be final and conclusive as against the licensee or permittee, and every person claiming by, through or under the licensee or permittee or either of them, and there shall be no appeal therefrom."

5. The said Act is further amended as to section 77 by striking out the words "No employee of the Government of the Province who is included in the first or inside division of the Public Service, as provided in *The Public Service Act*" where the same occur in subsection (1) thereof and by substituting therefor the following: "No person in the service of the Government of the Province or of the Legislative Assembly of the Province, whether his employment is permanent or temporary, whilst such employment continues".

6. The said Act is further amended as to section 95*a* by striking out paragraphs (a) and (b) of subsection (1) and by substituting therefor the following:

- “(a) in case the sum for which distress is levied is for rent, royalties and dues, or any of them, payable in respect of any mines and minerals, upon all or any of the goods and chattels which shall then be found in, on or about any property which is used or occupied for the purpose of the operation of any mine, or the mining and getting of any minerals, as the case may be, if such mine or minerals are held of the Crown under any lease, license, permit, agreement of sale or other instrument, by the person who is liable for the payment of the sum for which the distress is made or by any other person claiming by, through or under him;
- “(b) in all other cases, upon all or any of the goods and chattels which shall then be found upon any land whatsoever which is for the time being owned by or in the occupation of or under the control of the person for the time being liable for the payment of the rent in respect of which the distress is levied.”

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

No. 57.

SIXTH SESSION
EIGHTH LEGISLATURE

1 GEORGE VI

1938

BILL

An Act to amend The Provincial
Lands Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. TANNER.

EDMONTON:
A. Shnitka, King's Printer
1938