

Bill No. 79 of 1938.

AN ACT TO AMEND THE WATER RESOURCES ACT.

NOTE.

The amendment made by this Bill relates to the liability for damages caused by water where water is stored on or conveyed over land by means of works constructed, maintained or operated under *The Prairie Farm Rehabilitation Act* or *The Water Resources Act*, or both, and such works are not constructed, maintained or operated by the owner of the land.

The registered owner of the land and persons claiming by, through or under him, are relieved from liability for damages so caused unless such damage is caused by the act or default of such owner or other persons or their respective agents and servants.

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. 79 of 1938.

An Act to amend The Water Resources 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 Water Resources Act Amendment Act, 1938*".

2. *The Water Resources Act*, being chapter 71 of the Statutes of Alberta, 1931, is hereby amended by inserting therein immediately after section 36 the following new section:

"36a. In case any works have been constructed or are maintained or operated pursuant to any provisions of *The Prairie Farm Rehabilitation Act*, being chapter 23 of the Statutes of Canada, 1935, and of this Act, or either of them, upon any land other than works constructed, maintained or operated by the registered owner of that land whereby any water is accumulated, stored or conveyed on or over such land, neither the registered owner of such land nor any person claiming by, through or under him shall be under any liability in respect of damage done by water arising from the accumulation, storage or conveyance thereof by reason of any act or default on the part of any person other than such registered owner and persons as aforesaid and their respective agents and servants."

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 Water
Resources Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MULLEN.

EDMONTON:
A. Shnitka, King's Printer
1938