

# BILL

No. 8 of 1938 (Second Session).

An Act to Amend the Workmen's Compensation Act.

(Assented to \_\_\_\_\_, 1938.)

**H**IS 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 Workmen's Compensation Act Amendment Act, 1938*".

**2.** *The Workmen's Compensation Act*, being chapter 23 of the Statutes of Alberta, 1938, is hereby amended as to section 2 by inserting therein immediately after paragraph (b) the following new paragraph:

"(bb) An assessment in addition to its ordinary meaning includes charges, rates, levies and deductions imposed for medical aid."

**3.** The said Act is further amended as to section 10 by striking out the words "and subject as aforesaid. The action or decision of the Board", where the same occur therein, and by substituting therefor the following: "and the action or decision of the Board".

**4.** The said Act is further amended as to section 19 by renumbering the last subsection thereof as subsection (6).

**5.** The said Act is further amended as to section 27 by striking out the words "unless the Board otherwise directs, and such certificate shall be conclusive as to the matters certified", where the same occur therein, and by substituting therefor the words "and such certificate shall unless the Board otherwise directs be conclusive as to the matters certified".

**6.** The said Act is further amended as to section 30 by striking out the words "subsection (2) of this section", where the same occur therein, and by substituting therefor the words "subsection (2) of this section whether such apparatus was provided before or after enactment hereof".

**7.** The said Act is further amended as to section 44 by striking out subsections (3) and (4) thereof and by substituting therefor the following:

“(3) In cases where no such plan has been approved, employers shall either collect from the workman or workmen in their employment or retain out of the earnings of such workman or workmen such amounts for medical aid as may from time to time be fixed by the Board and shall pay the monies so collected or retained to the Board and such monies shall form part of the Accident Fund and shall constitute a special fund to be used in defraying the cost of medical aid to the workmen so contributing; provided, however, that commencing the first day of January, 1939, the amount retained from a workman shall not be less than one, nor more than five cents per day or part day worked.

“(4) The employer shall be personally liable to pay to the Board the amount that he is required to collect or retain from his workmen under the provisions of this section and the Board shall have the like powers and be entitled to the like remedies for enforcing payment of such sum as it possesses or is entitled to in respect of an assessment.”

8. The said Act is further amended as to section 61 by striking out subsection (1) and by substituting therefor the following:

“61.—(1) Where any work within the scope of this Act is undertaken for any person, (in this section referred to as the principal), by a contractor, or subcontractor the principal shall be liable to pay to the Board any sum which the contractor or any subcontractor is or may become liable to pay to the Board in respect of the work so undertaken, and the Board shall have the like powers, and be entitled to the like remedies for enforcing payment as it possesses or is entitled to in respect of an assessment.”

9. The said Act is further amended as to section 65 by striking out subsection (6) and by substituting therefor the following:

“(6) Any real estate of an employer, which is not otherwise bound by or subject to a lien created by this Act, shall be bound to the same extent as a registered judgment or mortgage, by any assessment made under this Act against such employer, from the date of the lodging of a certified statement of the monies due the Board for assessment or otherwise in the Land Titles Office for the district in which such real estate is situated and any judgment entered with respect to such statement shall bind such property from the date of the lodging of such statement so certified. The Registrar of such Land Titles Office shall record such statement.”

10. This Act shall come into force on the day upon which it is assented to, and upon so coming into force shall be deemed to have been in force at all times on, from and after the thirty-first day of March, 1938.

SEVENTH SESSION  
**EIGHTH LEGISLATURE**  
2 GEORGE VI  
1938  
(SECOND SESSION)

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**BILL**

An Act to Amend the Workmen's  
Compensation Act.

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Received and read the

First time.....

Second time.....

Third time.....

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MR. ANDERSON.

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EDMONTON:  
A. Shnitka, King's Printer  
1938