

BILL

No. 9 of 1939.

An Act to Amend and Consolidate the Special Areas Act,
1938.

(Assented to _____, 1939.)

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 Special Areas Act, 1939.*"

2. In this Act, unless the context otherwise requires,—

- (a) "Board" means the Special Areas Board appointed pursuant to this Act;
- (b) "Department" means the Department of Lands and Mines;
- (c) "Land" includes in addition to its ordinary meaning buildings and improvements thereon, but does not include any minerals therein or thereunder;
- (d) "Minister" means the Minister of Lands and Mines;
- (e) "Municipality" means any municipal district or improvement district or part thereof included in a Special Area;
- (f) "Person" includes a partnership or corporation;
- (g) "Public Lands" means unsubdivided lands situated in a Special Area which have been transferred to the Crown under the provisions of this Act, or which are Provincial lands or school lands within the meaning of *The Provincial Lands Act, 1931*, or which are designated as Public Lands pursuant to any provisions of this Act;
- (h) "Ratepayer" means the person with the right of possession of land and includes any lessee of public lands;
- (i) "Special Area" means any Special Area constituted under the authority of this Act and includes Tilley East, Berry Creek, Sounding Creek, Sullivan Lake, Neutral Hills and Bow West, now constituted as Special Municipal Areas;
- (j) "Unsubdivided Lands" means all land other than and except land subdivided into lots and blocks as a townsite, a plan of which is registered in a Land Titles Office.

3. Each of the areas in the Province next hereinafter described is hereby constituted as a Special Area; the area first so described shall be known as The Tilley East Special Area, the area secondly so described shall be known as The Berry Creek - Sullivan Lake Special Area, the area thirdly so described shall be known as The Sounding Creek - Neutral Hills Special Area, and the area fourthly so described shall be known as The Bow West Special Area.

The description of the areas hereinbefore mentioned is as follows:

1.—THE TILLEY EAST SPECIAL AREA.

All that part of the Province of Alberta except so much thereof as is included within the corporate boundaries of any town or village, described as follows:

Commencing at the north-east corner of township 12, range 1, west of the 4th meridian; thence northerly along the said 4th meridian to its intersection with the left bank of the Red Deer River, in township 23; thence in a generally westerly direction along the said left bank to its intersection with the range line between ranges 10 and 11 in township 21; thence southerly along the road allowance between the said ranges to the south-east corner of township 14, range 11; thence westerly along the road allowance between townships 13 and 14 to the intersection of the said road allowance with the left bank of the Bow River; thence in a generally southerly and westerly direction along the left bank of the Bow River and continuing to township 11, range 13; thence in a generally easterly and northerly direction along the left bank of the Saskatchewan River to the intersection of the said bank with the east boundary of section 34, township 12, range 6; thence northerly to the south-east corner of the north-east quarter of the said section; thence westerly to the south-west corner thereof; thence northerly along the west boundary of the north-east quarter to the south boundary of section 3, township 13, range 6; thence easterly along the south boundary of sections 3 and 2 in the said township to the south-east corner of section 2; thence northerly along the east boundary of section 2 to the north-east corner of the south-east quarter of the said section; thence easterly along the south boundary of the north half of section 1, township 13, range 6, and along the south boundary of the north half of sections 5 and 6, township 13, range 5, to the intersection of the said boundary with the left bank of the South Saskatchewan River; thence southerly along the said left bank to the intersection of the bank with the road allowance between townships 12 and 13; thence easterly along the said road allowance to the point of commencement, all west of the 4th meridian.

2.—BERRY CREEK - SULLIVAN LAKE SPECIAL AREA.

All that part of the Province except so much thereof as is included within the corporate boundaries of any town or village, described as follows:

Commencing at the north-east corner of township 34, range 8, west of the 4th meridian; thence westerly along the road allowance between townships 34 and 35 to the intersection of the road allowance with the east shore of Sullivan Lake; thence southerly and westerly along the said shore of Sullivan Lake to the north-west corner of township 33, range 14, west of the 4th meridian; thence westerly along the road allowance between townships 33 and 34 to the north-west corner of township 33, range 15, west of the 4th meridian; thence southerly along the road allowance between ranges 15 and 16 to the south-west corner of township 31, range 15, west of the 4th meridian; thence westerly along the road allowance between townships 30 and 31 to the north-west corner of township 30, range 16, west of the 4th meridian; thence southerly along the road allowance between ranges 16 and 17 to the south-west corner of township 29, range 16, west of the 4th meridian; thence westerly along the road allowance between townships 28 and 29 to the north-west corner of township 28, range 18, west of the 4th meridian; thence southerly along the road allowance between ranges 18 and 19 to the south-west corner of section 19, township 28, range 18, west of the 4th meridian; thence easterly along the south boundary of the said section 19 to the north-west corner of section 17, township 28, range 18, west of the 4th meridian; thence southerly along the west boundary of sections 17 and 8 of the said township to the south-west corner of section 8; thence easterly along the south boundary of sections 8 and 9 to the north-west corner of the north-east quarter of section 4 of the said township; thence southerly along the west boundary of the east half of the said section 4 to the south-west corner of the south-east quarter of the said section; thence easterly to the south-east corner of the said section; thence southerly along the west boundary of section 34, township 27, range 18, west of the 4th meridian to the south-west corner of the north-west quarter of section 34; thence easterly along the south boundary of the north-west quarter of the said section to the south-east corner thereof; thence southerly along the west boundary of the east halves of sections 34, 27 and 22, township 27, range 18, west of the 4th meridian to the intersection of the said boundary with the left bank of the Red Deer River; thence southerly and easterly along the sinuosities of the said bank to the intersection of the said bank with the range line between ranges 7 and 8; thence northerly along the said range line between ranges 7 and 8, to the point of commencement.

3.—THE SOUNDING CREEK — NEUTRAL HILLS SPECIAL AREA.

All that part of the Province excepting so much thereof as is included within the corporate boundaries of any town or village described as follows:

Commencing at the north-east corner of township 35, range 1, west of the 4th Meridian; thence westerly along the road allowance between townships 35 and 36 to the

north-west corner of township 35, range 3; thence northerly along the road allowance between ranges 3 and 4 to the north-west corner of township 37, range 3; thence westerly along the road allowance between townships 37 and 38 to the north-west corner of township 37, range 7; thence southerly along the range line between ranges 7 and 8 to the intersection of the said range line with the left bank of the Red Deer River in township 23; thence in a generally easterly direction along the said left bank of the Red Deer River to the intersection with the east boundary of section 13 in township 23, range 4; thence northerly along the road allowance between ranges 3 and 4 to the north-west corner of township 26, Range 3; thence easterly along the road allowance between townships 26 and 27 to the intersection with the 4th meridian; thence northerly and along the said 4th meridian to the point of commencement; all west of the 4th meridian.

4.—THE BOW WEST SPECIAL AREA.

All that part of the Province except so much thereof as is included within the corporate boundaries of any town or village described as follows:

Commencing at the south-east corner of township 12, range 17, west of the 4th meridian; thence northerly along the range line between ranges 16 and 17 to the intersection with the north boundary of township 14; thence easterly along the north boundary of township 14 to the intersection with the right bank of the Bow River; thence in a generally north-westerly direction upstream along the said right bank of the Bow River to the intersection with a line dividing the north and south halves of township 20, in range 19; thence westerly along the said divided line and continuing westerly to the intersection with the range line between ranges 20 and 21; thence southerly along the said range line between ranges 20 and 21 to the north boundary of township 16; thence westerly along the said north boundary of township 16 to the intersection with the range line between ranges 21 and 22; thence southerly along the said range line between ranges 21 and 22 to the north boundary of township 13; thence easterly along the said north boundary of township 13 to the north-east corner of section 32, township 13, range 20; thence southerly along the east boundary of the said section 32 to the south-east corner of the north-east quarter of the said section 32; thence westerly along the south boundary of the north half of section 32 to the south-west corner of the north-west quarter of section 32; thence southerly along the west boundary of the south-west quarter of section 32 to the south-west corner thereof; thence westerly along the south boundary of the south-east quarter of section 31 to the south-west corner thereof; thence southerly along the west boundary of the east half of section 30 and along the west boundary of the east half of section 19 to the south-west corner of the south-east quarter of the said section 19; thence easterly along the south boundary of the said south-

east quarter of section 19 to the south-east corner thereof; thence southerly along the east boundary of the north-east quarter of section 18 to the south-east corner thereof; thence easterly and along the south boundary of the north-west quarter of section 17 to the south-east corner thereof; thence southerly along the west boundary of the south-east quarter of the said section 17 to the south-west corner thereof; thence easterly and along the south boundary of the said south-east quarter of section 17 to the south-east corner thereof; thence southerly along the road allowance between sections 8 and 9 in township 13, range 20, to the north-east corner of section 20 of township 12, range 20; thence easterly along the north boundary of the north-west quarter of section 21 to the north-east corner thereof; thence southerly along the east boundary of the said north-west quarter of section 21 to the south-east corner thereof; thence easterly along the south boundary of the north-east quarter of section 21 and the north-west quarter of section 22 to the south-east corner of the said north-west quarter of section 22; thence southerly along the west boundary of the south-east quarter of section 22 to the south-west corner thereof; thence easterly along the south boundary of the south-east quarter of the said section 22 to the south-east corner thereof; thence southerly along the east boundary of the north-east quarter of section 15 to the south-east corner thereof; thence easterly along the south boundary of the north halves of sections 14 and 13 to the south-west corner of the north-east quarter of the said section 13; thence northerly along the west boundary of the said north-east quarter of section 13 to the north-west corner thereof; thence easterly along the north boundary of the said north-east quarter of section 13 to the north-east corner thereof; thence northerly along the east boundary of section 24 to the north-east corner thereof; thence easterly along the south boundary of the south-west quarter of section 30 in township 12, range 19, to the south-east corner thereof; thence northerly along the east boundary of the said south-west quarter of section 30 to the north-east corner thereof; thence easterly along the south boundary of the north halves of sections 30 and 29 to the north-east corner of the south-west quarter of the said section 29; thence southerly along the east boundary thereof to the south-east corner thereof; thence easterly along the south boundary of the south-east quarter of the said section 29 to the south-east corner thereof; thence southerly along the east boundaries of sections 20 and 17 to the south-east corner of the north-east quarter of the said section 17; thence easterly along the south boundary of the north-west quarter of section 16 to the south-east corner thereof; thence southerly along the centre line of sections 16 and 9 to the south-west corner of the north-east quarter of section 9; thence easterly along the south boundary of the said north-east quarter of section 9 to the south-east corner thereof; thence southerly and along the east boundary of the south-east quarter of the said section 9 to the south-east corner thereof; thence easterly along the south boundary of the south-west quarter of sec-

tion 10 to the south-east corner thereof; thence southerly along the west boundary of the north-east quarter of section 3 to the south-west corner thereof; thence easterly along the south boundary of the said north-east quarter of section 3 to the south-east corner thereof; thence southerly along the road allowance between sections 2 and 3 to the south-east corner of the south-east quarter of section 27 in township 11, range 19; thence westerly along the south boundary of the south-east quarter of the said section 27 to the south-west corner thereof; thence southerly through the centre of sections 22, 15 and 10 to the south-west corner of the north-east quarter of the said section 10; thence easterly along the south boundary of the said north-east quarter of the said section 10 to the south-east corner thereof; thence southerly along the road allowance between sections 10 and 11 to the intersection with the left bank of the Old Man River; thence in a generally south-easterly and northerly direction downstream along the said left bank of the Old Man River to the intersection with the south boundary of township 12, range 16; thence westerly along the south boundary of the said township 12 to the point of commencement, all west of the 4th Meridian.

4. The Lieutenant Governor in Council shall have power notwithstanding the provisions of any other Act,—

- (a) to increase any Special Area by the addition of land, or decrease any Special Area by the withdrawal of land;
- (b) to appoint a Board of not more than three members, who shall perform such duties and exercise such powers pertaining to a Special Area, or Special Areas which are imposed or conferred upon the Minister by this Act as may from time to time be assigned by the Minister to such Board;
- (c) to appoint such officers, servants, and employees as may be necessary for the administration of this Act and to prescribe their respective duties;
- (d) to make such orders and regulations for the administration of any Special Area, or Special Areas as may be deemed proper, and authorize the carrying out of any scheme or plans for the rehabilitation or betterment of any Special Area and the inhabitants thereof;
- (e) upon the recommendation of the Minister to provide for the compromise of arrears of taxes owing by any person in respect to any land in a Special Area and fix the amount which shall be accepted in satisfaction thereof and the manner in and the times at which any sum so fixed shall be paid;
- (f) upon the recommendation of the Minister to provide for the compromise of arrears of rentals, dues, fees or other charges owing by any person in respect to any public land in a Special Area and fix the amount which shall be accepted in satisfaction

thereof and the manner in and the times at which any sum so fixed shall be paid;

- (g) upon the recommendation of the Minister to make regulations either generally or with respect to any area or with respect to any designated part or parts of any area as to the running at large of domestic animals or any designated kind or kinds thereof, either during the entire year or during any designated part or parts thereof, and either by the prohibition or the permission of the running at large of all or any domestic animals or by both prohibition and permission and to prescribe what shall and what shall not be deemed to be a lawful fence and to prescribe the terms and conditions under which any designated kind or description of domestic animals may be permitted to run at large, or to be grazed upon unfenced lands, and for the impoundment and sale of any animal running at large in contravention of any such regulations.

5.—(1) As and from the first day of April, 1939, each special area constituted pursuant to this Act shall be a Special District and shall be assigned a distinctive number by the Minister and its title shall be the words "Special District" followed by such number as is assigned to it by the Minister.

(2) Any part of any special area which immediately before the first day of April, 1939, formed part of any municipal district shall be excluded from such municipal district in the Special District constituted by this Act as if such exclusion and inclusion had been effected pursuant to an order of the Minister of Municipal Affairs made pursuant to section 16 of *The Municipal District Act* and the provisions of section 17 of that Act shall be applicable thereto.

(3) Every municipal district which was immediately before the first day of April, 1939, wholly included within the boundaries of any special area shall on the first day of April, 1939, be dissolved and the area thereof shall be included in the Special District constituted by this Act by order of the Lieutenant Governor in Council as if such dissolution and inclusion had been effected pursuant to section 19 of *The Municipal District Act* and all the provisions of that section shall apply thereto.

6.—(1) Save and except only as is expressly otherwise provided in this Act, all the provisions of *The Improvement Districts Act, 1927*, shall apply to every Special District as if the same were an improvement district constituted pursuant to that Act.

(2) In relation to any Special District all the powers, duties, rights and capacities which are by *The Improvement Districts Act, 1927*, vested in or conferred or imposed upon the Minister of Municipal Affairs shall be vested in, conferred upon and imposed upon the Minister of Lands and

Mines and all the powers, duties, rights and capacities which are by that Act vested in or conferred or imposed upon the Deputy Minister of Municipal Affairs shall be vested in, conferred upon and imposed upon the Deputy Minister of Lands and Mines, and all the powers, duties, rights and capacities which are by that Act vested in or conferred or imposed upon the Department of Municipal Affairs shall be vested in, conferred upon and imposed upon the Department of Lands and Mines, as if the Minister of Lands and Mines had been named therein wherever the Minister of Municipal Affairs is named therein, and as if the Deputy Minister of Lands and Mines had been named therein wherever the Deputy Minister of Municipal Affairs is named therein, and as if the Department of Lands and Mines had been named therein wherever the Department of Municipal Affairs is named therein.

7. Notwithstanding any provision to the contrary contained in *The Improvement Districts Act, 1927*, or in *The Assessment Act*,—

- (a) the mill rate for the levying of taxes leviable under the provisions of *The Improvement Districts Act, 1927*, for the purposes of that Act in respect of any land in a Special District which is agricultural land shall be such rate on the dollar of the assessed value of such land as may be fixed from time to time by the Lieutenant Governor in Council;
- (b) the mill rate for the levying of taxes leviable under *The School Act, 1931*, or *The School Assessment Act, 1931*, in respect of any land in a Special District which is agricultural land shall be such rate on the dollar on the assessed value of such land as may be fixed from time to time by the Lieutenant Governor in Council.

8. In case in any year the amount of taxes levied and collectable in any year in any Special District or in any School District included therein is insufficient to defray the expenditures of the Special District or any such school district, the Provincial Treasurer shall make good such deficiency out of such sums as may be appropriated for the purpose by vote of the Legislative Assembly.

9. Where any part of a Special District is included in a Municipal Hospital District constituted pursuant to the provisions of *The Municipal Hospitals Act, 1939*, the amount payable to the Municipal Hospital District in the year 1939 and every year thereafter in respect of the part of the Special District included in the Hospital District shall be paid to the Municipal Hospital District by the Provincial Treasurer out of such sums as may be appropriated for the purpose by vote of the Legislative Assembly.

10.—(1) Notwithstanding the provisions of *The Tax Recovery Act, 1938*, or of any other Act, whenever any parcel of land in a Special District has been finally acquired under the provisions of *The Tax Recovery Act, 1938*, or of any other Act relating to the recovery of taxes, the Minister shall forthwith proceed to obtain title to such parcel of land, and upon the Minister so obtaining title, every right of any person whatsoever to redeem such parcel of land shall cease and determine.

(2) In case at the time when the Minister acquires the title to any parcel of land as aforesaid the parcel is in the occupation of a person who was immediately prior thereto the registered owner thereof, or a person who derived title thereto from the registered owner as a purchaser under an agreement for sale or as the personal representative of the owner, such person shall have the right to become the lessee thereof for such term at such rent and upon such terms and conditions as may be prescribed by the Minister; provided always that he shall exercise such right by executing the lease in the form prescribed by the Board or by delivering to the Board a written undertaking to execute such lease within thirty days after the day upon which the Board sends to such person a notice to the effect that the title to the parcel has been taken by the Minister, and setting out therein a copy of this subsection.

11.—(1) On, from and after the 31st day of March, 1939, none of the provisions of *The Local Tax Arrears Consolidation Act, 1935*, shall apply to any arrears of taxes payable in respect of any parcel of land which is situate in a Special District, save and except arrears of taxes with respect to which a consolidation agreement which is subsisting as at the 31st March, 1939, has been entered into pursuant to the said Act, or *The Local Tax Arrears Consolidation Act, 1934*, or *The Local Tax Arrears Consolidation Act, 1935*.

(2) In case default is made at any time after the 31st day of March, 1939, in the making of any payment of any sum payable pursuant to any agreement for the consolidation of any arrears of taxes payable in respect of any parcel of land situate in a Special District subsisting as at the 31st day of March, 1939, the same shall be cancelled, and no subsequent agreement for the consolidation of any arrears of taxes payable in respect of that land shall be entered into.

12. The Minister is hereby empowered in respect of Special Areas generally or in respect of any specified special area or areas,—

- (a) to direct that any of the public lands or interest therein within a Special Area shall be dealt with in such manner as may seem to him to be for the benefit of the residents of the Special Area, or to prohibit the dealing therein in any manner which seems to him to be detrimental to such residents;

- (b) to lease public lands within a Special Area at such rentals as may seem fair and equitable;
- (c) to set aside lands for community purposes, such as grazing reserves, hay reserves, water reserves and irrigation, and to make such provisions for the administration thereof as may be deemed advisable;
- (d) to receive the money payable in respect of any lease, or any interest in public lands in a Special Area and to expend such moneys, or any part thereof as he may deem advisable for the following purposes or any one of them:
 - (i) the costs of administration;
 - (ii) the development of any natural resources;
 - (iii) the carrying out of improvements within any Special Area; and
 - (iv) The rehabilitation of settlers within any Special Area;
- (e) to order and require any owner or occupant of lands to adopt such methods of farming or grazing, or farming and grazing as may be deemed necessary to prevent soil drifting or over-grazing, or any hazard which may dissipate or nullify any assistance rendered to residents within the Special Area;
- (f) to exchange any public lands within a Special Area for any other lands situate within any Special Area;
- (g) to promote approved farm cultural practices and efficient range management, also such community effort and enterprise as may contribute to greater economic security of residents of the Special Area;
- (h) to classify all lands within the Special Area for the purpose of utilizing them for the purpose for which they are considered by him to be most adaptable;
- (i) to promote measures for the development and conservation of any and all available natural resources within any Special Area for the purpose of giving greater stability of income to the remaining residents within the Special Area;
- (j) to promote greater stability and diversity of sources of income for residents within any Special Areas to the end that they may become self-supporting;
- (k) to acquire by purchase or otherwise any property whether real or personal which is requisite or incidental to the exercise of any powers conferred by this Act;
- (l) to carry out and execute any scheme or plans for the rehabilitation or betterment of any Special Area and the inhabitants thereof;
- (m) to do all such things as are requisite or incidental to the exercise of any power conferred by this Act.

13. Notwithstanding the provisions of any other Act any lands within a Special Area, the title to which for the time being is registered in the name of any municipality in the proper Land Titles Office, are hereby transferred to, and the title thereto vested in the Minister on behalf of the Crown.

14.—(1) Any surveyors, engineers, agents and workmen employed by the Province may enter upon and occupy any land in a Special Area for the purpose of making examinations and surveys for the purpose of carrying out any work or undertaking approved by the Lieutenant Governor in Council as a work or undertaking for the rehabilitation or betterment of the Special Area, to construct thereon dams, ditches, weirs, spillways, roads and such other buildings, structures or erections as may be necessary or incidental to the carrying out of any such work or undertaking or the maintenance thereof, and any land forming the site of any such work or undertaking or which is used, or occupied in connection therewith, shall be deemed to be the property of the Crown so long as the same is required for the purpose of such work or undertaking.

(2) In any case in which it is made to appear to the Minister that any right or property of any person has been detrimentally affected by reason of any act or thing done pursuant to this section, or by the use or occupation of any land used or occupied in the exercise of any power conferred by this section, the Minister may, after making such inquiries as he deems necessary, allow any such person such compensation as he may in his uncontrolled discretion think proper, and any compensation so allowed shall be paid out of any moneys appropriated by the Legislature for the administration of this Act.

15.—(1) For the purpose of performing any duty or exercising any power in relation to any Special Area assigned to the Board by the Minister, the Board shall, subject to the direction of the Minister, be the agent of the Minister for that purpose and have the same powers and capacity to perform or discharge such duty or power as is conferred by the Act upon the Minister for that purpose.

(2) The Minister may, by order, provide for the constitution in any Special Area of an advisory committee consisting of such persons elected in such manner and by such persons and in such localities as he may prescribe, who shall hold office for such term as he may prescribe, and the functions of such committee shall be to confer with and advise the Board as to matters affecting the Special Area for which it is constituted and shall meet when called by the Board; the members of such committee shall serve without remuneration but shall be entitled to reasonable travelling or subsistence expenses incurred in attending meetings called by the Board.

16. No public lands situated in a Special Area shall be sold, leased, or otherwise disposed of without the consent of the Minister.

17.—(1) All revenue derived from public lands within any Special Area shall be deposited in a special account to be called "Provincial Treasurer Special Areas Trust Account," and such revenue may be used in accordance with the provisions of paragraph (d) of section 12 of this Act.

(2) There shall be submitted to the Legislative Assembly within the first fifteen days of the first Session in the next ensuing year and in each subsequent year thereafter a statement of the revenues received and expenditures made during the previous fiscal year.

(3) All revenue derived from Provincial Lands of a class designated School lands shall be payable to the General Revenue Fund of the Province.

18. Any lands in a Special Area vested in the Trustees of an Irrigation District may, with the approval of the Irrigation Council, be designated by the Minister as public lands, and the lands so designated shall be dealt with as public lands within the meaning of this Act.

19. The Minister of Municipal Affairs may accept a transfer on behalf of His Majesty of any lands in a Special Area and any lands so acquired shall be public lands within the meaning of this Act.

20. Notwithstanding the provisions of any other Act public lands in a municipality situated in a Special Area shall be removed from the assessment rolls, and shall cease to be liable to assessment and taxation, and any taxes owing in respect to such land, shall be cancelled.

21. All assessments and taxes levied against lands that have been finally acquired by any municipality situate in a Special Area under the provisions of *The Tax Recovery Act, 1938*, or any other Act of the Province relating to the recovery of taxes but to which transfer of title has not been taken, are hereby validated and confirmed.

22. For the purpose of doing any act or thing authorized by this Act, the Minister and the Board may, with the consent of the Minister in charge of any department of the Government, have the benefit of the services of any officer or other employee of such department, and of the services of any member, officer or employee of any Board or Commission established under the Provincial Statutes.

23. In any case in which provision has been made pursuant to this Act for the compromise of any arrears of taxes, rentals, dues, fees, or other charges and a sum has been thereby fixed as the sum to be paid in satisfaction of the

arrears, the authority entitled to receive the same shall accept the sum so fixed, and the arrears in excess of the sum so fixed shall be cancelled.

24. When an exchange of privately owned land for public land is effected by the Minister and there are no encumbrances other than arrears of taxes or municipal or Provincial liens on the privately owned land, such encumbrances or any part thereof may be transferred to the public land so exchanged; and when any transfer of arrears of taxes is so made the same shall be added to, and become part of the taxes payable for the current year in respect of the land last mentioned.

25.—(1) The Department shall keep a record of all lands subject to the provisions of this Act and the said Department shall be responsible for the issuing and recording of all leases, agreements, and contracts of any dispositions made and for the proper enforcement of the terms thereof.

(2) Upon any person becoming entitled to receive a title in fee simple to any lands to which this Act applies, a notification in Form A shall be issued in accordance with the provisions of section 85 of *The Provincial Lands Act*, which notice shall be signed by the Minister or by the Deputy Minister or the person for the time being acting as Deputy Minister and shall be countersigned by the Director of Lands or any person acting as Director in his absence and shall be forwarded to the Registrar of Land Titles for the district in which the land is situate.

26. For the purpose of controlling and regulating any part of an area set aside for a community grazing area, the Minister may, with the approval of the Lieutenant Governor in Council, make such provision for the administration thereof as may be deemed proper, and may prescribe as to the persons who may have animals thereon, the number, kind, and description of animals which any person may place thereon, the fees payable in respect of any animals permitted to graze thereon, the times at which and the manner in which round-ups shall be made, and the impounding and dealing with stray animals thereon and in case any provision so made conflicts with any provision of *The Domestic Animals (Unorganized Territory) Act*, or *The Domestic Animals (Municipalities) Act*, the provisions so made shall prevail.

27.—(1) Notwithstanding the provisions of any other Act, all sums payable under any grazing lease or under any permit in respect of any animals run or grazed upon any lease or any community pasture or any public lands shall constitute a first lien in favour of the Crown upon each animal so run or grazed; and the Minister may enforce the lien by the seizure and sale in such manner and at such time as he may deem proper of such of the animals subject to the

lien as may be required to realize a sufficient sum to satisfy the full amount owing by the lessee or permittee.

(2) In addition to any of the remedies which the Minister may have, in case default is made in the due payment of any sum owing by a lessee or permittee under any grazing lease or permit with respect to animals run or grazed upon any lease or upon any community pasture, the Minister may recover the same by distress upon any goods and chattels of the lessee or permittee wheresoever the same may be found within the Province, in the same manner and subject to the same conditions, exemptions and restrictions as if the amount so owing were taxes payable under the provisions of *The Municipal District Act*, and all the provisions of that Act relating to distress shall, *mutatis mutandis*, apply to a distress under this section.

28. Notwithstanding the provisions of any other Act, no fees shall be payable by a municipality which is in a Special Area to any Registrar of Land Titles for any service to the municipality in connection with any letter of search or any search of the General Register, the registration of any transfer of title, the issuance of any certificate of title, or the furnishing of any abstract of title.

29. Notwithstanding the provisions of any other Act, no fees shall be payable by a municipality situated in a Special Area in connection with advertising in *The Alberta Gazette* under the provisions of *The Tax Recovery Act*.

30. — (1) Save and except only as is expressly otherwise provided in this Act, the provisions of *The Domestic Animals (Unorganized Territory) Act* shall apply to every special area to the extent that the same are not in conflict with any of the provisions of any regulations made pursuant to section 4 of this Act.

(2) In relation to any Special Area all the powers, duties, rights and capacities which are by *The Domestic Animals (Unorganized Territory) Act* conferred or imposed upon the Minister of Agriculture shall be vested in, conferred upon and imposed upon the Minister of Lands and Mines and all the powers, duties, rights and capacities which are by that Act vested in or conferred or imposed upon the Deputy Minister of Agriculture shall be vested in, conferred upon and imposed upon the Deputy Minister of Lands and Mines, and all the powers, duties, rights and capacities which are by that Act vested in or conferred or imposed upon the Department of Agriculture shall be vested in, conferred upon and imposed upon the Department of Lands and Mines, as if the Minister of Lands and Mines had been named therein wherever the Minister of Agriculture is named therein, and as if the Deputy Minister of Lands and Mines had been named therein wherever the Deputy Minister of Agriculture is named therein, and as if the Department of Lands and Mines had been named therein wherever the Department of Agriculture is named therein.

31. The Minister shall cause to be prepared a report as to the administration of this Act for each year and the same shall be laid on the table of the Legislative Assembly within fifteen days after the commencement of the first Session in the next ensuing year.

32. In any case in which the Board appointed under *The Special Municipal Areas Act* has entered into any arrangement otherwise than by means of a formal lease whereby any right was given to any person to use any land for the period of one year or for an indefinite period or both, every such arrangement shall be subject to the condition that the same shall be determined immediately upon the Minister sending to that person by registered mail at his last known post office address a notice in writing terminating the arrangement, and upon the thirtieth day after the date of the mailing of any such notice or at such later date as may be specified in the notice for that purpose, the arrangement shall forthwith cease and determine and the Minister shall be entitled to the vacant possession of the land to which the arrangement relates.

33. Every person who contravenes any order or regulation made pursuant to this Act shall be guilty of an offence and shall be liable on summary conviction therefor to a fine of not more than one hundred dollars and costs and in default of payment to imprisonment for not more than two months.

34. For the purpose of carrying out the provisions of this Act according to their true intent, and of supplying any deficiency therein, the Lieutenant Governor in Council may make regulations not inconsistent with the intent and spirit of this Act, which shall have the same force and effect as if incorporated therein.

35. All leases, licenses, permits and agreements of any nature whatsoever issued or made pursuant to the provisions of this Act may be executed on behalf of the Crown by the Minister, or by any other person authorized for the purpose by the Minister in writing.

36.—(1) In case any conflict arises between any of the provisions of this Act and any of the provisions of any other Act, the provisions of this Act shall prevail.

(2) In case any conflict arises between the provisions of any regulation made pursuant to section 4 of this Act and any of the provisions of *The Domestic Animals (Unorganized Territories) Act*, the provisions of such regulations shall prevail.

37. *The Special Areas Act, 1938*, being chapter 92 of the Statutes of Alberta, 1938, is hereby repealed, but all proceedings instituted under that Act shall be continued as if the same had been instituted under this Act.

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

EIGHTH SESSION
EIGHTH LEGISLATURE
3 GEORGE VI
1939

BILL

An Act to Amend and Consolidate the
Special Areas Act, 1938.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. TANNER.

EDMONTON:
A. Shnitka, King's Printer
1939