

BILL

No. 96 of 1939.

An Act to Amend The Children of Unmarried Parents Act.

(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 Children of Unmarried Parents Act, 1923, Amendment Act, 1939.*"

2. *The Children of Unmarried Parents Act, 1923*, being chapter 50 of the Statutes of Alberta, 1923, is hereby amended as to section 2 by striking out the same and by substituting therefor the following:

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

"(a) 'Judge' or 'the Judge' means any judge of one of the District Courts in this Province, or an acting judge, or deputy lawfully acting for him, or a judge of the Supreme Court acting as a District Court judge;

"(b) 'Superintendent' means the Superintendent of Child Welfare appointed pursuant to the provisions of *The Child Welfare Act of Alberta* or any other person authorized by the Attorney General to act for and in his place for the purposes of this Act."

3. The said Act is further amended as to section 5 thereof by striking out the words "*The Infants Act*", where the same occur therein, and by substituting therefor the words "*The Domestic Relations Act, 1927.*"

4. The said Act is further amended as to section 11 thereof,—

(a) by striking out the first paragraph of subsection (1) and by substituting therefor the following:

"**11.**—(1) In all proceedings now pending as well as in proceedings under complaints which may hereafter be made, whether or not the putative father appears in obedience to the summons, or in pursuance of his recognizance, the judge, upon

proof of the service of the summons or of the giving of the recognizance, as the case may be, and upon sufficient evidence being adduced before him as to the fact of paternity, may make an order declaring the putative father to be the father of the child and upon sufficient evidence being adduced before him as to the means or prospective means or earning ability of the putative father, may by the same or a separate order require the said putative father to make to the Superintendent any or all of the following payments:"

- (b) by striking out the word "weekly", where it occurs in the first line of paragraph (b) of subsection (1), and by substituting therefor the words "weekly, monthly or yearly."
- (c) by inserting immediately after paragraph (e) of subsection (1) the following new paragraph:
 "(f) the costs of all proceedings taken under the provisions of this Act."
- (d) by striking out the word "weekly", where it occurs in the first line of subsection (2), and by substituting therefor the words "weekly, monthly or yearly".
- (e) by adding at the end of the section the following new subsection:
 "(7) With the consent of the Superintendent, the judge may order that the liability of a putative father under the provisions of this Act shall be finally satisfied upon payment of a specified sum."

5. The said Act is further amended as to section 24 thereof by adding the words "or possible paternity" after the word "paternity" wherever the same occurs in subsection (1).

6. 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 The Children of
Unmarried Parents Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. ABERHART.

EDMONTON:
A. Shnitka, King's Printer