

Bill No. 43 of 1941.

A BILL TO AMEND THE PROVINCIAL LANDS ACT,
1939.

NOTE.

This Bill amends *The Provincial Lands Act, 1939*.

The amendment to section 13 provides for the disposition of certain unsurveyed provincial lands by the Minister, and for a method of staking to be brought into effect by regulation.

The amendment to section 18 provides that any person making application for an agricultural lease, who is in possession of any other agricultural lands, shall, within six months of obtaining such agricultural lease, divest himself of all interest in such other agricultural lands.

The new section 21*a* empowers the Minister to appoint persons to carry on the duties of agents or officers temporarily absent from their duties.

The amendment to section 36 provides a means whereby land may be purchased by persons who have been granted homestead entry and have not fulfilled the requirements.

The amendment to paragraph (o) of subsection (1) of section 75 provides that the application for any reinstatement shall be made within six months of the date of cancellation.

The new subsection added to section 86 is for the purpose of ensuring the payment of the fee charged by the Registrar of Land Titles for registration of patent.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 43 of 1941.

An Act to amend The Provincial Lands Act, 1939.

(Assented to _____, 1941.)

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, 1939, Amendment Act, 1941.*"

2. *The Provincial Lands Act, 1939*, being chapter 10 of the Statutes of Alberta, 1939, is hereby amended as to section 13 by striking out the same and by substituting therefor the following:

"13. No provincial land which has not been surveyed under the provisions of either *The Alberta Surveys Act* or *The Dominion Lands Surveys Act* shall be disposed of save and except only by way of lease for the purpose of grazing of stock or any purpose which is deemed by the Minister to be in the public interest and the location shall be staked out by the applicant in such manner as may be prescribed by regulations made by the Lieutenant Governor in Council."

3. The said Act is further amended as to section 18 by striking out the last proviso thereof and by substituting therefor the following:

"Provided also that any person who, at the time of making application for an agricultural lease is in possession of agricultural lands, held under lease, agreement for sale, or in any other form of terminable grant, shall within six months after obtaining such lease divest himself of all interest in such agricultural lands."

4. The said Act is further amended by adding immediately after section 21 thereof the following new section:

"21a. Where any agent, officer, local agent or sub-agent is absent because of illness, or any other reason, a competent person may be appointed by the Minister to act as agent, officer, local agent, or sub-agent *pro tempore*, and such person shall during such time have all powers and perform all the duties of the agent, officer, local agent, or sub-agent in whose place he is appointed."

5. The said Act is further amended as to section 36 by adding at the end thereof the following new proviso:

“Provided further that where the entrant of a homestead who has endeavoured to comply with the requirements for the issue of a notification, and has failed so to do may purchase the land comprising such entry upon such terms and conditions as the Minister may prescribe.”

6. The said Act is further amended as to section 75 by striking out paragraph (o) of subsection (1) thereof, and by substituting therefor the following:

“(o) reinstate any sale, lease, license or permit that may have been cancelled or forfeited upon such terms and conditions as may be prescribed;

“Provided that application for reinstatement be made within six months of the date of cancellation;”

7. The said Act is further amended as to section 86 by renumbering the present section as subsection (1) and by adding at the end thereof the following new subsection:

“(2) Before issue of the notification the prescribed fee payable under *The Land Titles Act* shall be paid to the Minister by the person entitled to receive the said notification and shall thereafter be forwarded to the Registrar of Land Titles for the district in which such land is situate.”

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

FIRST SESSION
NINTH LEGISLATURE
5 GEORGE VI
1941

BILL

An Act to amend The Provincial
Lands Act, 1939.

Received and read the

First time

Second time

Third time

HON. MR. TANNER.

EDMONTON:
A. Shnitka, King's Printer
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