

Bill No. 53 of 1941.

A BILL TO AMEND THE SUMMARY CONVICTIONS  
ACT

—

NOTE.

This Bill amends *The Summary Convictions Act*.

The new section 3a is a re-enactment of subsection (1) of section 69 of *The Criminal Code* which defines the persons who are parties to and guilty of offences. This section will very greatly facilitate administration of many Provincial Statutes which create offences and will remove any doubt which may exist as to whether or not these provisions are applicable to Provincial offences.

The new section 16a provides that no proceedings shall be quashed or set aside and no defendant shall be discharged by reason only of the fact that evidence has not been given of any proclamation, rule, regulation or by-law made pursuant to a Provincial Statute. This section provides that all such rules and regulations shall be judicially noticed and that they do not have to be presented in evidence.

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. 53 of 1941.

An Act to amend The Summary Convictions Act.

(Assented to \_\_\_\_\_, 1941.)

**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 Summary Convictions Act Amendment Act, 1941.*"

2. *The Summary Convictions Act*, being chapter 9 of the Statutes of Alberta, 1935, is hereby amended by adding immediately after section 3 thereof the following new section:

"3a. Everyone is a party to and guilty of an offence who,—

"(a) actually commits it;

"(b) does or omits an act for the purpose of aiding any person to commit an offence;

"(c) abets any person in the commission of the offence; or

"(d) counsels or procures any person to commit an offence."

3. The said Act is further amended by inserting therein immediately after section 16 the following new section:

"16a.—(1) No order, conviction or other proceeding of any justice to which this Act applies shall be quashed or set aside and no defendant shall be discharged for the reason that evidence has not been given of any proclamation or order of the Lieutenant Governor in Council or of any rule, regulation or by-law made pursuant to any Statute of the Province or of the publication of such proclamation, rule, order, regulation or by-law in *The Alberta Gazette* or in any other manner in which the same are by an Statute of the Province required to be published or promulgated.

"(2) Every proclamation, order, rule, regulation or by-law referred to in subsection (1) and the publication or promulgation thereof shall be judicially noticed."

4. 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 Summary  
Convictions Act.

---

---

Received and read the

First time .....

Second time .....

Third time .....

---

---

HON. MR. ABERHART.

---

---

EDMONTON:  
A. Shnitka, King's Printer  
1941