

Bill No. 30 of 1944.

A BILL TO AMEND THE PROVINCIAL LANDS ACT.

NOTE.

This Bill amends *The Provincial Lands Act*, chapter 62, R.S.A., 1942.

Section 37 of the Act provides that there shall be no sale of Provincial lands except as otherwise provided in the Act without the approval of the Lieutenant Governor in Council, subject to certain exceptions. The proviso proposed to be added to the section by section 1 of the Bill allows the Minister to sell surface rights of lands to a lessee of mining rights in cases where the operations of the mine will substantially destroy the surface for agricultural purposes.

Section 47 deals with school lands, and the effect of the new subsection (4) to be added by section 2 of the Bill is to authorize the Minister to sell school lands to The Director, *The Veterans' Land Act* for use in the re-establishment of members of His Majesty's forces. The price is to be fixed by two arbitrators, one to be appointed by the Minister and one by the Dominion Minister. The new subsection (5) provides that the proceeds are to be paid into the School Fund, which they would be if the lands were sold in the ordinary way, namely by auction.

Section 3 of the Bill strikes out subsection (2) of section 50 as this subsection has served its purpose and is no longer used.

The amendment to section 60 enacted by section 4 of the Bill extends the classes of persons to whom permits to cut timber may be granted.

Section 5 of the Bill amends section 78 so as to empower the Lieutenant Governor in Council to give the Minister authority to make agreements with the Dominion authorities as to Provincial lands in relation to the re-establishment of members of His Majesty's forces; to fix compensation to be paid before issue of a mining lease on Provincial lands where in the opinion of the Minister the surface will be destroyed; to make regulations as to licensing and operation of trap lines; and generally, to deal with Provincial lands in such a way as is deemed essential in the successful conduct of the war.

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. 30 of 1944.

An Act to amend The Provincial Lands Act.

(Assented to _____, 1944.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Provincial Lands Act*, being chapter 62 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 37 by adding immediately at the end thereof the following proviso:

“Provided further that where a lease has been granted for mining rights on or under Provincial lands, and in the opinion of the Minister the proper carrying on of mining operations will destroy the surface of the land for agricultural purposes, the Minister may sell the surface rights of the land to the lessee of the mining rights at a price to be fixed as the actual market value of the land at the time of the sale, irrespective of its mining value.”

2. The said Act is further amended as to section 47 by adding at the end thereof the following new subsections:

“(4) Notwithstanding anything in this Act, the Lieutenant Governor in Council may for such price as two arbitrators, one appointed by the Minister and the other by the Minister of Mines and Resources of Canada, shall in writing certify to the Minister as fair and reasonable, grant and convey or cause to be granted and conveyed to the Government of the Dominion of Canada or The Director, The Veterans' Land Act appointed pursuant to *The Veterans' Land Act*, 1942 of Canada, any vacant and available school lands where such school lands will be used solely for the re-establishment and rehabilitation of members of His Majesty's forces.

“(5) The sums realized from sales made pursuant to subsection (4) shall be paid into and become part of the School Fund pursuant to the provisions of section 50.”

3. The said Act is further amended as to section 50 by striking out subsection (2) thereof.

4. The said Act is further amended as to section 60 by striking out paragraph (b), of subsection (1) thereof and by substituting therefor the following:

“(b) To persons engaged in exploration, in scientific pursuits, in prospecting, trapping or trading, or in the pursuit of other means of livelihood in the unsettled areas of the Province;”.

5. The said Act is further amended as to section 78 by adding at the end of subsection (1) thereof the following new paragraphs:

“(t) by order authorize the Minister to enter into an agreement or agreements with the Minister of Mines and Resources of Canada dealing with Provincial lands in relation to the re-establishment and rehabilitation of members of His Majesty’s forces upon such terms and conditions as the Lieutenant Governor in Council may deem proper;

“(u) fix an amount as compensation which shall be paid by the applicant for a lease of mines and minerals under Provincial lands as a condition precedent to the issue of the lease, in any case where, in the opinion of the Minister the carrying on of mining operations may destroy the surface of the land;

“(v) make regulations for the issue of licenses of occupation in connection with the operation of trap lines and with respect to the operation of trap lines;

“(w) from time to time authorize the doing of such acts, matters and things relating to the administration of Provincial lands as may be deemed essential and desirable in assisting in the successful conduct of the war.”

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

No. 30.

FOURTH SESSION
NINTH LEGISLATURE
8 GEORGE VI
1944

BILL

An Act to amend The Provincial
Lands Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. TANNER.

EDMONTON:
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