BOUNDARY SURVEYS ACT

Revised Statutes of Alberta 2000
Chapter B-5

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

Definition

1 In this Act, “Minister” means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act.

RSA 1980 cB-10 s1
Part 1

Participation of Government in survey

2 The Government of Alberta shall participate in any survey and demarcation of the boundary line between Alberta and any adjoining province or the Northwest Territories.

RSA 1980 cB-10 s2

Survey agreement

3 The Minister, with the approval of the Lieutenant Governor in Council, on behalf of Alberta, may enter into any arrangement or agreement with the Government of Canada or of an adjoining province relating to the survey and demarcation of the boundary line, and may

(a) agree to participate in any survey and demarcation of the boundary line,

(b) agree to pay a portion of the costs of the survey and demarcation,

(c) agree to provide for the re-establishment, restoration and maintenance of survey monuments and other physical evidence of the boundary, and

(d) do other things as may be necessary or expedient in connection with the survey and demarcation of the boundary line.

RSA 1980 cB-10 s3;1988 c31 s4

Expenditure

4 Any expenditure incurred under this Part is to be paid out of money voted by the Legislature for the purpose, and in default of a vote shall be paid out of the General Revenue Fund.

RSA 1980 cB-10 s4

Regulations and orders

5 For the purpose of carrying out this Act according to its intent, the Lieutenant Governor in Council may make regulations and orders that are ancillary to it and not inconsistent with it.

RSA 1980 cB-10 s5
Part 2

Boundary between Alberta and Saskatchewan

6 Subject to the passing of an Act of the same import as this Part by the Province of Saskatchewan, the report of the Inter-provincial Boundary Commission appointed to complete the necessary surveys to mark the interprovincial boundary between the Provinces of Alberta and Saskatchewan and the plan of the survey of record in the office of the Director of Surveys of Alberta under number 1-A.S. are approved and confirmed, and that portion of the boundary between the Provinces of Alberta and Saskatchewan, as marked on the ground by the Commission in 1938, is approved, confirmed and declared the true interprovincial boundary.

Boundary between Alberta and the Northwest Territories

7 The line between the Slave River and the Little Buffalo River surveyed and marked on the ground by the Department of the Interior in 1924 and 1925 under the direction of the Surveyor General of Dominion Lands and the line surveyed and demarcated between 1950 and 1954 by the Alberta-Northwest Territories Boundary Commission appointed and authorized by Order Number 692, February 14, 1950 of the Privy Council and by Order Number 1393-49, November 21, 1949 of the Lieutenant Governor in Council, and both shown on 20 map sheets entitled the “Alberta and the Northwest Territories Boundary” and signed by the Commissioners, a copy of which is deposited in the office of the Director of Surveys of Alberta, are consented to be declared by the Parliament of Canada the boundary line between Alberta and the Northwest Territories, whether or not this increases, diminishes or otherwise alters the territory of Alberta.

Part 3

Definitions

8 In this Part,

(a) “boundary” means the boundary line between the Province of Alberta and the Province of British Columbia;

(b) “conventional boundary line” means those portions of the boundary marked on the ground by survey monuments and shown on the map sheets by a series of straight lines connecting the survey monuments;
(c) “map sheets” means the surveys or maps entitled “Boundary between Alberta and British Columbia” on deposit with the Director of Surveys of Alberta that depict the boundary, and alterations to it, established by law;

(d) “sinuous boundary line” means those portions of the boundary along the natural line of watershed that are indicated on the map sheets by a series of broken lines.

RSA 1980 cB-10 s8;1987 c14 s2

Boundary commissioner

9 The Lieutenant Governor in Council may appoint a boundary commissioner who has the power and duty, in co-operation with a similar commissioner from the Government of British Columbia and from the Government of Canada,

(a) to carry out any agreement entered into under section 3,

(b) subject to the approval of the Lieutenant Governor in Council, to enter into an agreement, on behalf of the Government, with the Government of British Columbia to provide for the conversion of all or part of the sinuous boundary line to a conventional boundary line,

(c) for the purpose of substituting a conventional boundary line for the sinuous boundary line, to survey the boundary or any part of it that the boundary commissioners unanimously select to be surveyed,

(d) to locate the position of the sinuous boundary line on the ground and to amend its depiction on the map sheets where necessary to remove ambiguity,

(e) to settle any problem or dispute that is referred to the boundary commissioners respecting the location of the boundary,

(f) to establish, restore and maintain survey monuments and other physical evidence of the boundary, and

(g) to do all acts or things necessary or incidental to the exercise of the powers or performance of the functions of a boundary commissioner under this Part.

RSA 1980 cB-10 s10;1987 c14 s2
Boundary disputes

10 A problem or dispute respecting the location of the boundary on the ground in relation to a sinuous boundary line shall be referred to the boundary commissioners.

Provisional boundary

11(1) If a problem or dispute is referred to them under section 10, the boundary commissioners

(a) may, if a majority agree, cause the relevant portion of the sinuous boundary line to be surveyed and marked on the ground by survey monuments as provisional conventional boundary line, and

(b) shall, if a majority approves the completed work, have maps prepared, in the form of revisions or supplements to the map sheets, as necessary to reflect the provisional boundary line so established.

(2) Where subsection (1) does not apply, the boundary commissioners

(a) may, if they unanimously agree, cause a portion of the sinuous boundary line to be surveyed and marked on the ground by survey monuments as provisional conventional boundary line, and

(b) shall, if they unanimously approve the completed work, have maps prepared, in the form of revisions or supplements to the map sheets, as necessary to reflect the provisional boundary line so established.

(3) For the purpose of joining provisional conventional boundary line established under this section to the sinuous boundary line, the boundary commissioners may have a broken line drawn on the maps following the natural line of watershed, which is established as provisional sinuous boundary line.

Reference to Assembly

12 If provisional conventional and sinuous boundary line established under section 11 is confirmed by the Lieutenant Governor in Council, the Minister shall, as soon as practicable, inform the Legislative Assembly of the particulars of the provisional boundary line.
Alteration of boundary

13(1) When an alteration to the boundary is made pursuant to section 43 of the Constitution Act, 1982, the Minister shall cause to be deposited with the Director of Surveys of Alberta a copy of the maps that revise or supplement the map sheets to reflect the alteration of the boundary.

(2) When the boundary is altered, the Registrar of Land Titles shall make all necessary amendments to the register and to the Registrar’s records generally.

1987 c14 s2

Costs

14 Notwithstanding this Part or any agreement entered into pursuant to this Part, the Government of Canada is not bound or liable to pay any costs, except such costs as that Government may incur with respect to boundary inspections and meetings of the boundary commission, with respect to this Part or any agreement.

RSA 1980 cB-10 s14