



Province of Alberta

COURT OF APPEAL ACT
COURT OF QUEEN'S BENCH ACT
CIVIL ENFORCEMENT ACT
FAMILY LAW ACT

ALBERTA RULES OF COURT

Alberta Regulation 390/1968

With amendments up to and including Alberta Regulation 124/2010

Office Consolidation

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Note

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(Consolidated up to 124/2010)

ALBERTA REGULATION 390/68

**Court of Appeal Act
Court of Queen's Bench Act
Civil Enforcement Act
Family Law Act**

ALBERTA RULES OF COURT

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Rule 1 and Parts 1 to 56.1 Repealed AR 124/2010 s15.14.

Part 57 Repealed by the judges of the Court of Queen's Bench effective October 1, 2012 pursuant to section 136 of the *Winding-up and Restructuring Act* (Canada).

**Part 58
Rules as to Practice and Procedure
in Controverted Elections Under the
Local Authorities Election Act**

Court of Queen's Bench practice

813 The practice upon proceedings under the *Local Authorities Election Act*, where not provided for by the Act shall be governed by the practice for similar proceedings in the Court of Queen's Bench.

AR 390/68 s813;338/83;155/84

Costs

814 The costs to be allowed for the proceedings shall be those allowed under Part 47.

AR 390/68 s814;338/83;101/99

Forms

815 The following form or forms to the like effect shall be used:

Forms

I. Title

All proceedings shall be intituled as follows:

“In the Court of Queen’s Bench of Alberta
Judicial District of

“In the matter of a controverted election pursuant to the *Local Authorities Election Act*.

A.B., Applicant

VS.

“C.D. (the person whose election is contested).
Respondent.”

II. Recognizance

(Formal part as above)

We, A.B. (the Applicant) and E.F. and G.H. (the sureties) acknowledge that we owe our Sovereign Lady the Queen, her heirs and successors, the following sums, viz.: I and the said A.B. the sum of \$200 and we the said E.F. and G.H. each the sum of \$100 of good and lawful current money of Canada upon the condition hereinafter stated:

Whereas the said A.B. has made application for leave to serve a notice of motion in the nature of a quo warranto upon C.D., a member of the elected authority of to determine the right of the said C.D. to his seat as such member; If, therefore, the said A.B. do prosecute the said motion with effect and do pay to the said C.D. any costs which may be adjudged to him against the said A.B. then this recognizance to be void, otherwise to stand in full force and virtue.

Taken and acknowledged before me thisday of
....., 20.....

(Judge or Commissioner, as the case may be.)

I, E.F., one of the sureties named in the foregoing (or annexed, or as the case may be) recognizance, make oath and say:

That I am possessed of property situate in the Province of Alberta which is not exempt from seizure under the *Civil Enforcement Act* of the value of at least dollars over and above what will pay all my just debts and all other sums for which I am surety.

Sworn before me at the
of in the Province
of Alberta this
day of, 20.....

.....
A Commissioner &c.

AR 390/68 s815;338/83;155/84;277/95

Part 60 Repealed by the Court of Queen’s Bench of Alberta Criminal Procedure Rules SI (Statutory Instruments) / 2017-76.

Parts 61 and 64, Schedules A, B, C and E and Judicial District Boundaries Repealed AR 124/2010 s15.14.



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