

REPORT OF THE COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, May 12th, 1970.

The Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill C-136, intituled: "An Act respecting the expropriation of land", has in obedience to the order of reference of March 4th, 1970, examined the said Bill and now reports the same with the following amendment:

"Page 36: Strike out subclause (2) of clause 36 and substitute therefor the following:

"(2) Where the amount of the compensation adjudged under this Part to be payable to a party to any proceedings in the Court under section 29 in respect of an expropriated interest does not exceed the total amount of any offer made under section 14 and any subsequent offer made to such party in respect thereof before the commencement of the trial of the proceedings, the Court shall, unless it finds the amount of the compensation claimed by such party in the proceedings to have been unreasonable, direct that the whole of such party's costs of and incident to the proceedings be paid by the Crown, and where the amount of the compensation so adjudged to be payable to such party exceeds that total amount, the Court shall direct that the whole of such party's costs of and incident to the proceedings, determined by the Court on a solicitor and client basis, be paid by the Crown." "

Respectfully submitted.

LAZARUS PHILLIPS,
Acting Chairman.

Patrick J. Savie,
Clerk of the Committee.