

CHAPTER 64

An Act to Amend the Greater Vancouver
Water District Act

[Assented to 6th April, 1968.]

1924, c. 22;
1925, c. 15;
1926-27, c. 27;
1931, c. 27;
1932, c. 18;
1933, c. 24;
1937, c. 26;
1938, c. 21;
1939, c. 23;
1940, c. 17;
1944, c. 14;
1945, c. 34;
1948, c. 100;
1950, c. 82;
1951, c. 109;
1952, c. 16;
1959, c. 102;
1960, c. 72;
1965, c. 61;
1966, c. 60;
1967, c. 58.

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of the Province of British Columbia, enacts
as follows:—

Short title.

1. This Act may be cited as the *Greater Vancouver Water District
(Amendment) Act, 1968*.

Amends s. 36.

2. Section 36 of the *Greater Vancouver Water District Act*, being
chapter 22 of the Statutes of 1924, is amended by striking out subsections
(2), (3), and (4) and substituting the following:—

“(2) The Corporation shall make to owners or occupiers of, or other
persons interested in, real property entered upon, taken, expropriated,
or used by the Corporation in the exercise of any of its powers, or
injuriously affected by the exercise of any of its powers, under this
section, due compensation for any deprivation or damage (including
interest upon the compensation at the rate of six per centum per
annum from the time the real property was entered upon, taken, or
used) necessarily resulting from the exercise of such powers beyond
any advantage which the claimant may derive as a consequence thereof
or from the contemplated work; and a claim for compensation, if not
mutually agreed upon, shall be decided by three arbitrators to be ap-
pointed as hereinafter mentioned, namely: The Corporation shall appoint
one, the owner or occupier or other person making the claim, or his
agent, shall appoint another, and such two arbitrators shall appoint a
third arbitrator within ten days after their appointment, but in the event
of such two arbitrators not appointing a third arbitrator within the
time aforesaid, one of the Judges of the Supreme Court shall, on applica-
tion of either party, of which due notice shall be given to the other
party, appoint such third arbitrator. If any doubt arises as to procedure
under this section, the *Arbitration Act* applies.

“(3) The parties to the reference may agree to submit the matter to
one arbitrator, whose award shall be as binding and conclusive as that
of two or three arbitrators, or with consent of the parties any Judge of
the Supreme or County Court may decide the matter in dispute, and his
decision shall be as binding as the award of an arbitrator or arbitrators.

“(4) In case such owner, occupier, or other person is an infant or
insane or otherwise legally incompetent or absent from the Province,

or whose whereabouts are unknown, or in case either party shall refuse to appoint an arbitrator on his behalf, then a Judge of the Supreme Court, on application being made to him for that purpose by either party, shall nominate and appoint three disinterested persons to be arbitrators."

Amends s 63

3. Subsection (2) of section 63 of the Act is amended

- (a) by striking out the word "four" in the twelfth line and substituting the word "five";
- (b) by striking out the words and comma "where debentures or other securities are issued in a currency other than lawful money of Canada," in the thirteenth and fourteenth lines; and
- (c) by striking out the words "from year to" in the fifteenth line and substituting the words "in each".