

## TABLE OF CONTENTS

<i>Table of Cases</i> . . . . .	<i>v</i>
1. Introduction . . . . .	1
2. British Columbia . . . . .	3
3. Alberta . . . . .	7
(a) Introduction — Public Works Act . . . . .	7
(b) Part 1 — Definitions . . . . .	8
(c) Part 2 — Contracts and Tenders . . . . .	9
(d) Part 3 — Payment of Claimants . . . . .	15
(i) Section 14(1) . . . . .	17
(ii) Sections 14(2) and (3) . . . . .	19
(iii) Information Needed for a Claim . . . . .	20
(iv) Whether a Project is a Highway or Road . . . . .	21
(v) Section 15 Generally . . . . .	23
(vi) Which PWA Claimants are entitled to Receive Payment for their Claims? . . . . .	25
(vii) Steps After Funds are Paid into Court . . . . .	30
(viii) Section 15(5) and the Extent of Priority Status for PWA Claims . . . . .	30
(ix) How to Determine if a Project Falls under the PWA . . . . .	33
(e) Part 4 — Expropriation . . . . .	38
(f) Part 5 — Public Works Development Areas . . . . .	41
(g) Part 6 — Miscellaneous . . . . .	43
(h) Part 7 — Comparisons to the Alberta Builders' Lien Act . . . . .	44
(i) Whether both the PWA and the BLA can apply to the same Project . . . . .	47
(j) Appendix 1 — Compendium of Case Law . . . . .	49
(k) Appendix 2 — Other Legislation References . . . . .	56
(l) Appendix 3 — PWA Claim Forms (Courtesy of the Government of Alberta) . . . . .	58
4. Saskatchewan . . . . .	67
(a) The Public Works and Services Act . . . . .	74
(b) The Public Works Creditors' Payment Act . . . . .	74
5. Manitoba . . . . .	83
(a) The Infrastructure Contracts Disbursement Act . . . . .	83
(i) Text of the Legislation . . . . .	83
(ii) Commentary . . . . .	88
(b) The Public Works Act . . . . .	92
6. Ontario . . . . .	93
(a) Public Works Creditors Payment Act . . . . .	95
(b) Ministry of Transportation and Communications Creditors Payment Act . . . . .	96

iv CONSTRUCTION & BUILDERS' LIENS ON CROWN LANDS

7. Quebec .....	99
8. Newfoundland and Labrador .....	105
9. Nova Scotia .....	109
10. Prince Edward Island .....	111
11. New Brunswick.....	119
(a) Introduction — Crown Construction Contracts Act .....	119
(b) Text of the Legislation .....	119
(c) Commentary.....	126
(i) Purpose of the CCCA.....	127
(ii) Claimant Rights under the CCCA.....	127
(iii) Whether the CCCA Applies to a Project.....	129
12. Yukon.....	133
13. Northwest Territories .....	135
14. Nunavut .....	137
15. Summary of All Provinces and Territories.....	139
Index.....	145