

No. 100

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3rd Session, 13th Legislature, Alberta  
5 Elizabeth II, 1957

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## **BILL 100**

A Bill to amend The Motor Vehicle Accident Indemnity Act

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HON. MR. TAYLOR

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EDMONTON, ALBERTA  
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1957

## Explanatory Note

### 2. Section 6 presently reads as follows:

"6. The limits as to amount referred to in section 4 are

- "(a) five thousand dollars in the case of bodily injury to or the death of one person in one accident,
- "(b) ten thousand dollars in the case of bodily injury to or the death of more than one person in one accident, subject to the limit in clause (a) for each person so injured or killed, and
- "(c) one thousand dollars in respect of damage to each motor vehicle or other property in any one accident."

Section 4 provides for the suspension of the licence of a driver involved in an accident. One requirement in getting a licence reinstated is to deposit, with the Supervisor, security in the amount stated in section 6. This increase is intended to conform with the increase suggested for the minimum insurance coverage.

### 3. Subsection (12) of section 14 presently reads as follows:

"(12) The Provincial Treasurer is not required

"(a) to pay moneys from the Fund if the judgment has been satisfied

- "(i) to the extent of five thousand dollars or more, exclusive of costs, for bodily injury to or the death of one person,
- "(ii) to the extent of ten thousand dollars or more, exclusive of costs, for bodily injury to or the death of two or more persons in any one accident, subject to the limit in subclause (i) for each person so injured or killed, and
- "(iii) to the extent of one thousand dollars or more, exclusive of costs, for property damage,

or

"(b) to pay from the Fund under an order

- "(i) more than five thousand dollars, exclusive of costs, where judgment was given in an action based upon bodily injury to or the death of one person in one accident,
- "(ii) more than ten thousand dollars, exclusive of costs, where judgment was given in an action based upon bodily injury to or the death of more than one person in one accident, subject to the limit in subclause (i) for each person so injured or killed,
- "(iii) where judgment was given in an action based upon damage to property, more than one thousand dollars, exclusive of costs after deducting one hundred dollars from the amount awarded in the judgment for damage to property, and in any such case the Provincial Treasurer shall be required to pay from the Fund only that amount by which the judgment for damage to property exceeds one hundred dollars,
- "(iv) interest on a judgment, or
- "(v) any judgment for loss of use or depreciation of the property damaged in the case of a judgment given in an action based upon damage to property."

The maximum amounts payable out of the Unsatisfied Judgment Fund were originally based on the minimum insurance requirements. The amounts payable out of the Fund are changed to correspond to the new minimums for insurance coverage.

The increased amounts payable from the Fund are payable only with regard to accidents occurring after the 30th June, 1958.

# BILL

No. 100 of 1957

An Act to amend The Motor Vehicle Accident Indemnity Act

(Assented to \_\_\_\_\_, 1957)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The Motor Vehicle Accident Indemnity Act*, being chapter 209 of the Revised Statutes of Alberta, 1955, is hereby amended.

**2.** Section 6 is amended

- (a) as to clause (a) by striking out the word "five" and by substituting the word "ten",
- (b) as to clause (b) by striking out the word "ten" and by substituting the word "twenty",
- (c) as to clause (c) by striking out the word "one" and by substituting the word "two".

**3.** (1) Section 14, subsection (12) is amended

- (a) by striking out the word "five" where it occurs in subclause (i) of clause (a), and by substituting the word "ten",
- (b) by striking out the word "five" where it occurs in subclause (i) of clause (b) and by substituting the word "ten",
- (c) by striking out the word "ten" where it occurs in subclause (ii) of clause (a) and by substituting the word "twenty",
- (d) by striking out the word "ten" where it occurs in subclause (ii) of clause (b) and by substituting the word "twenty",
- (e) by striking out the words "one thousand" where they occur in subclause (iii) of clause (a) and by substituting the words "two thousand",
- (f) by striking out the words "one thousand" where they occur in subclause (iii) of clause (b) and by substituting the words "two thousand".

(2) The provisions of subsection (1) do not apply where the judgment or order is based on a cause of action arising on or before the thirtieth day of June, 1958.

4. Subsection (5) of section 21 presently reads as follows:

“(5) The Provincial Treasurer is not required to pay out of the Fund more than five thousand dollars for hospital and medical expenses incurred in the treatment of injuries to one person in one accident.”.

Increase applies only to claims arising out of accidents occurring after the 30th June, 1958.

5. The amendments contained in this Bill are related to the increase to be made in the required minimum insurance coverage and are intended to come into effect at the same time.

• **4.** (1) Section 21, subsection (5) is amended by striking out the word "five" and by substituting the word "ten".

(2) The provisions of subsection (1) do not apply where the injury on which the claim is based, occurred on or before the thirtieth day of June, 1958.

**5.** This Act comes into force on the first day of July, 1958.

No. 100

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THIRD SESSION  
THIRTEENTH LEGISLATURE  
5 ELIZABETH II  
1957

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**BILL**

An Act to amend The Motor Vehicle  
Accident Indemnity Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. TAYLOR

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