

1973 Bill 12

Second Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 12

The Motor Vehicle Accident Claims Amendment Act, 1973

MR. HARLE

First Reading

Second Reading

Third Reading

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Bill 12
Mr. Harle

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THE MOTOR VEHICLE ACCIDENT CLAIMS AMENDMENT ACT, 1973

(Assented to _____, 1973)

HER MAJESTY, by and with the advice and consent of
the Legislative Assembly of Alberta, enacts as follows:

1. The Motor Vehicle Accident Claims Act is hereby amended.

2. Section 13, subsection (2.1) is amended by striking out the words "where the claim is for \$500 or less,".

3. Section 17 is amended by striking out the figure "260" and by substituting the figure "248".

4. Section 25 is amended by striking out subsections (1), (2) and (3) and by substituting the following:

25. (1) In addition to the other remedies provided by this Act, where a person is injured

(a) by the operation of a motor vehicle driven by another person on or after April 1, 1947, or

(b) by the operation of a motor vehicle driven by himself on or after September 1, 1963,

to an extent requiring hospital or medical treatment or ambulance services, the Administrator may authorize payment out of the Fund for the expenses therefor and, where necessary, for the costs of appliances and treatments used in the complete or partial restoration of his muscular activity or co-ordination or to give him complete or limited mobility, and thereby to rehabilitate him.

(2) If the Administrator is satisfied

(a) as to the facts with respect to the claim,

(b) that the person was injured in Alberta,

(c) that the person is either a resident of Alberta or, if he is a non-resident, that he was injured through the operation of a motor vehicle registered in Alberta,

Explanatory Notes

1. This Bill will amend chapter 243 of the Revised Statutes of Alberta 1970.

2. Section 13 (2.1) reads:

(2.1) Notwithstanding subsection (2), where the claim is for \$500 or less, the Administrator may waive the requirement of notice in writing.

3. An incorrect cross-reference to section of The Highway Traffic Act is corrected.

4. The wording of section 25 is revised. Under the existing wording, the injured person is required to make an application. This is not always possible.

- (d) that payment is for medical, hospital or ambulance expenses incurred in Alberta, or for the costs of appliances or treatments used or to be used in the rehabilitation of the person, and
 - (e) that the person cannot recover those expenses or costs under *The Alberta Health Care Insurance Act* or pursuant to a contract of prepaid medical, dental or hospital services or any contract of insurance, other than life insurance,
- the Administrator may issue a certificate to that effect to the Provincial Treasurer stating the amount to be paid and to whom it is to be paid.
- (3) Upon receipt of the certificate, the Provincial Treasurer shall pay the amount stated in the certificate.

5. This Act comes into force on the day upon which it is assented to.