

1973 Bill 84

Second Session, 17th Legislature, 22 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 84

The Motor Vehicle Accident Claims Amendment Act, 1973 (NO. 2)

THE MINISTER OF HIGHWAYS AND TRANSPORT

First Reading

Second Reading

Third Reading

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BILL 84

1973

THE MOTOR VEHICLE ACCIDENT CLAIMS AMENDMENT ACT, 1973 (NO. 2)

(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 15 is amended*

(a) *by striking out subsection (2) and by substituting the following:*

(2) Where all claims arising out of one accident have been jointly or severally satisfied to the extent of

(a) \$35,000 or more, exclusive of costs, where the accident occurred before January 1, 1974, or

(b) \$50,000 or more, exclusive of costs, where the accident occurred on or after January 1, 1974,

no payment may be made out of the Fund with respect to claims arising out of that accident.

(b) *by striking out subsection (4) and by substituting the following:*

(4) The maximum amount, exclusive of costs, that may be paid out of the Fund with respect to all claims arising out of one accident is

(a) \$35,000 where the accident occurred before January 1, 1974, or

(b) \$50,000 where the accident occurred on or after January 1, 1974.

(c) *as to subsection (5) by striking out clause (a) and by substituting the following:*

(a) claims arising out of bodily injury or death have priority over claims arising out of loss or damage to property to the amount of

(i) \$30,000 where the accident occurred before January 1, 1974, or

(ii) \$45,000 where the accident occurred on or after January 1, 1974,

and

EXPLANATORY NOTES

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

2. The maximum amounts payable out of the Motor Vehicle Accident Claims Fund are increased to match the \$50,000 minimum coverage being required in automobile insurance policies. Section 15, subsections (2), (4) and (5) presently read:

(2) Where all claims arising out of one accident have been jointly or severally satisfied to the extent of \$35,000, or more, exclusive of costs, no payment may be made out of the Fund with respect to claims arising out of that accident.

(4) Not more than \$35,000, exclusive of costs, may be paid out of the Fund with respect to all claims arising out of one accident.

(5) Where in one accident claims result from bodily injury to or death of one or more persons and loss of or damage to property,

(a) claims arising out of bodily injury or death have priority over claims arising out of loss of or damage to property to the amount of \$30,000, and

(b) claims arising out of loss of or damage to property have priority over claims arising out of bodily injury or death to the amount of \$5,000.

3. Section 25 is amended by striking out subsection (5) and by substituting the following:

(5) The Provincial Treasurer is not required to pay out of the Fund for hospital, medical and ambulance expenses and rehabilitation costs incurred in the treatment of injuries to one or more persons in one accident

(a) more than \$30,000 where the accident occurred before January 1, 1974, or

(b) more than \$45,000 where the accident occurred on or after January 1, 1974.

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

3. Section 25, subsection (5) presently reads:

(5) The Provincial Treasurer is not required to pay out of the Fund more than \$30,000 for hospital, medical and ambulance expenses and rehabilitation costs incurred in the treatment of injuries to one or more persons in one accident.