

1987 BILL 245

Second Session, 21st Legislature, 36 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 245

CLASS ACTION ACT

MR. CHUMIR

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 245
Mr. Chumir

BILL 245

1987

CLASS ACTION ACT

(Assented to , 1987)

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

Recognition of
class

1 In any civil proceeding before the Court of Queen's Bench or Court of Appeal, the Court may, on application by a plaintiff or a defendant, recognize by order an interest in the proceeding of any class of individuals that may be readily defined and whose interests in the matter before the Court correspond in principal to the interests of the applicant.

Pleading

2 If the Court makes an order pursuant to section 1, it may order an amendment to the pleadings to reflect the interests of the class of individuals.

Judgment of class

3 In any judgment relating to an action where the interests of a class of individuals has been recognized, the Court may, in addition to giving judgment to the plaintiff, also render a judgment in respect of the interests of the class of individuals joined and may order the terms and conditions upon which members of the class of individuals may claim the benefit of the judgment as a member of that class, and may make such order as to costs as it deems appropriate.

Representation of
class

4 The Court shall permit any class of individuals whose interest is recognized, to be represented separately in the action providing it is satisfied that the representation proposed is in the interests of and, so far as is possible, pursuant to the instructions of the class of individuals involved.