

1989 BILL 248

First Session, 22nd Legislature, 38 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 248

AN ACT TO AMEND THE LIMITATION
OF ACTIONS ACT (No. 3)

MR. WRIGHT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 248
Mr. Wright

BILL 248

1989

AN ACT TO AMEND THE LIMITATION OF ACTIONS ACT (No. 3)

(Assented to , 1989)

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

- 1 The Limitation of Actions Act is amended by this Act.*
- 2 Section 7 is amended by adding the following at the end of it:*

unless the basis for the claim with respect to the earlier item
was not known and could not with reasonable diligence have
been known to to the plaintiff within the 6 years next before the
commencement of the action.

Explanatory Notes

- 1 This Bill will amend c. L-15 of the Revised Statutes of Alberta 1980.
- 2 Section 7 presently reads:

7 No claim that is in respect of an item in an account and that arose more than 6 years before the commencement of the action is enforceable by action by reason only that some other claim that is in respect of another item in the same account arose within 6 years next before the commencement of the action.

The addition will allow claims that arose more than 6 years ago to be litigated if connected to another item on the same account on which litigation has commenced within the 6-year limit only if the earlier claim was not known and could not reasonably have been known to the claimant.