

1993 BILL 222

First Session, 23rd Legislature, 42 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 222

**LIMITATION OF ACTIONS
AMENDMENT ACT, 1993**

MR. DICKSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 222
Mr. Dickson

BILL 222

1993

LIMITATION OF ACTIONS AMENDMENT ACT, 1993

(Assented to , 1993)

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 51(b) is amended by adding "including economic loss
arising from the injury" after "person,".*

*3 Section 51 is amended by renumbering it as section 51(1) and by
adding the following after subsection(1):*

*(2) A person is not governed by a limitation period and may
at any time bring an action in tort or for negligence*

*(i) where the cause of action is based on conduct of a
sexual nature,*

*(ii) where the conduct occurred while the person was still
a minor, and*

*(iii) whether or not the person's right to bring the action
was at any time governed by a limitation period.*

4 This Act comes into force on Proclamation.

Explanatory Notes

1 This Bill will amend chapter L-15 of the Revised Statutes of Alberta 1980.

2 The amendments will permit an action with respect to damages for sexual abuse of a minor to be brought at any time. Section 51 presently reads:

51 Except as otherwise provided in this Part, an action for

- (a) defamation,
- (b) trespass to the person, assault, battery, wounding or other injury to the person, whether arising from an unlawful act or from negligence or from breach of a statutory duty.
- (c) false imprisonment,
- (d) malicious prosecution,
- (e) seduction,
- (f) trespass or injury to real property or chattels, whether direct or indirect and whether arising from an unlawful act or from negligence or from breach of a statutory duty, or
- (g) the taking away, conversion or detention of chattels,

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 - (2) A person is not governed by a limitation period and may at any time bring an action in tort or for negligence
 - (i) where the cause of action is based on conduct of a sexual nature,
 - (ii) where the conduct occurred while the person was still a minor, and
 - (iii) whether or not the person's right to bring the action was at any time governed by a limitation period.
- 4 This Act comes into force on Proclamation.*

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may be commenced within 2 years after the cause of action arose, and not afterwards.