

1997 BILL 210

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Fifth Session, 23rd Legislature, 46 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 210

OCCUPIERS' LIABILITY  
AMENDMENT ACT, 1997

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MR. RENNER

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 210*  
*Mr. Renner*

## BILL 210

1997

### OCCUPIERS' LIABILITY AMENDMENT ACT, 1997

*(Assented to , 1997)*

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

- 1 *The Occupiers' Liability Act is amended by this Act.*
- 2 *The following is added after section 9:*

Visitors  
engaged in  
recreational  
activities

**9.1(1)** When a owner or occupier has indicated by sign that visitors are permitted entry to the premises or a portion thereof for a recreational activity, and no fee is paid by the visitor for the entry or activity, the occupier is not under an obligation to discharge the common duty of care with respect to the recreational activities conducted by the visitor on the premises but is liable to the visitor for death or injury that results from the occupier's wilful or reckless conduct.

- (2) The premises referred to in subsection (1) are
  - (a) a premises that is used for agricultural purposes including
    - (i) land under cultivation,
    - (ii) vacant or undeveloped premises, and

## **Explanatory Notes**

- 1** Amends chapter O-3 of the Revised Statutes of Alberta, 1980.

- (iii) forested or wilderness premises;
- (b) golf courses when not open for playing;
- (c) utility rights of way and corridors excluding structures located thereon;
- (d) unopened road allowances; and
- (e) recreational trails reasonably marked as such.

3 This Act comes into force on Proclamation.

