

1997 BILL 206

First Session, 24th Legislature, 46 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 206

**OCCUPIERS' LIABILITY
AMENDMENT ACT, 1997**

MR. RENNER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 206
Mr. Renner

BILL 206

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 an 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.
- 2** Visitors engaged in recreational activities.

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

3 This Act comes into force on Proclamation.

3 Coming into force.

Title: 1997 (24th, 1st)