

1998 BILL 220

Second Session, 24th Legislature, 47 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 220

OCCUPIERS' LIABILITY AMENDMENT ACT, 1998

MR. RENNER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 220
Mr. Renner

BILL 220

1998

OCCUPIERS' LIABILITY AMENDMENT ACT, 1998

(Assented to _____, 1998)

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

Amends SA
1980 cO-3

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) In this section,

- (a) "agricultural land" means land the use of which for agriculture
 - (i) is either a permitted or discretionary use under the land use by-law of the municipality in which the land is situated, or
 - (ii) is permitted pursuant to section 643 of the *Municipal Government Act*;
- (b) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

(2) 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 any obligation to discharge the common duty of care with respect to the recreational activities conducted by the visitor on the

Explanatory Notes

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

2 Liability concerning visitors engaged in recreational activities on certain premises.

premises but is liable to the visitor for death or injury that results from the occupier's wilful or reckless conduct.

(3) The premises referred to in subsection (2) are

- (a) agricultural land including utility rights of way granted pursuant to section 72 of the *Land Titles Act*,
 - (b) golf courses when not open for playing, and
 - (c) recreational trails reasonably marked as such.
- (4) The Minister may make regulations prescribing the requirements for any information to be included in signs under this section.

3 This Act comes into force on Proclamation.

3 Coming into force.