

2003 Bill 208

Third Session, 25th Legislature, 52 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 208

**OCCUPIERS' LIABILITY (RECREATIONAL USERS)
AMENDMENT ACT, 2003**

MR. DANYLUK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 208

2003

OCCUPIERS' LIABILITY (RECREATIONAL USERS) AMENDMENT ACT, 2003

(Assented to _____, 2003)

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

Amends RSA 2000 cO-4

1 The *Occupiers' Liability Act* is amended by this Act.

2 The following is added after section 6:

Recreational users

6.1(1) The liability of an occupier to a person who uses the premises described in subsection (2) or a portion of them for a recreational purpose shall be determined as if the person was a trespasser unless the occupier

- (a) receives payment for the entry or activity of the person, other than a benefit or payment received from a government or government agency or non-profit recreation club or association, or
- (b) is providing the person with living accommodation on the premises.

(2) Subsection (1) applies to the following:

- (a) rural premises that are
 - (i) used for agricultural purposes including land under cultivation,
 - (ii) vacant or undeveloped premises, and

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

3 This Act comes into force on Proclamation.

Explanatory Notes

- 1** Amends chapter O-4 of the Revised Statutes of Alberta 2000.
- 2** New section relating to recreational users.

3 Coming into force.