

2004 Bill Pr5

Fourth Session, 25th Legislature, 53 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL Pr5

**BROOKLYN HANNAH GEORGE REWEGA
RIGHT OF CIVIL ACTION ACT**

MR. FRIEDEL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL Pr5

2004

BROOKLYN HANNAH GEORGE REWEGA RIGHT OF CIVIL ACTION ACT

(Assented to , 2004)

WHEREAS Elizabeth Hannah Rewega, who is also known as Lisa Rewega, of the hamlet of Rainbow Lake, Alberta, was the driver of a motor vehicle that was in a single-vehicle accident on December 31, 2000, near the town of High Level, Alberta, and was pregnant with Brooklyn Hannah George Rewega at the time of the accident;

WHEREAS Brooklyn Hannah George Rewega, an infant, suffers from certain disabilities that are alleged to have been caused by the accident;

WHEREAS a petition has been presented by Douglas George Rewega, father and legal guardian of Brooklyn Hannah George Rewega, requesting a Bill that will grant Brooklyn Hannah George Rewega, through her legal guardian, the ability to bring or alternatively maintain an action in the courts against her mother for compensation for the injuries and losses resulting from the accident; and

WHEREAS it is expedient to grant the prayer of the petition;

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

Right of civil action

1(1) Brooklyn Hannah George Rewega, an infant, by her father and legal guardian, Douglas George Rewega, is hereby granted a right of civil action against Elizabeth Hannah Rewega, her mother, for compensation for injuries and losses resulting from a single-

vehicle accident on December 31, 2000, near the town of High Level, Alberta, in which her mother was the driver of the vehicle.

(2) The right of civil action provided under this Act exists despite the common law principle that a legal duty of care cannot be imposed on a pregnant woman towards her fetus or subsequently born child.