

2008 Bill 30

First Session, 27th Legislature, 57 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 30

ALBERTA EVIDENCE AMENDMENT ACT, 2008

MR. BHULLAR

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 30
Mr. Bhullar

BILL 30

2008

ALBERTA EVIDENCE AMENDMENT ACT, 2008

(Assented to , 2008)

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

Amends RSA 2000 cA-18

1 The *Alberta Evidence Act* is amended by this Act.

2 The following is added after section 26:

Apology

Effect of apology on liability

26.1(1) In this section, “apology” means an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault in connection with the matter to which the words or actions relate.

(2) An apology made by or on behalf of a person in connection with any matter

- (a) does not constitute an express or implied admission of fault or liability by the person in connection with that matter,

Explanatory Notes

- 1** Amends chapter A-18 of the Revised Statutes of Alberta 2000.
- 2** An apology is not an admission of fault or liability.

- (b) does not constitute a confirmation or acknowledgment of a cause of action in relation to that matter for the purposes of the *Limitations Act*,
 - (c) does not, notwithstanding any wording to the contrary in any contract of insurance and notwithstanding any other enactment, void, impair or otherwise affect any insurance coverage that is available, or that would, but for the apology, be available, to the person in connection with that matter, and
 - (d) shall not be taken into account in any determination of fault or liability in connection with that matter.
- (3)** Notwithstanding any other enactment, evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any court as evidence of the fault or liability of the person in connection with that matter.
- (4)** This section does not apply to the prosecution of an offence.

RECORD OF DEBATE

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