

BILL

No. 92 of 1921.

An Act for the Protection of Persons Acting in the Execution
of Statutory or other Public Duties.

(Assented to , 1921.)

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

1. This Act may be cited as "*The Public Authorities
Protection Act.*"

2. Notwithstanding anything in any Act or Ordinance
or in the Consolidated Rules of the Supreme Court con-
tained, where any action, prosecution or other proceeding
is commenced in the Province of Alberta against any
person for any act done in pursuance or execution or in-
tended execution of his duty as a public officer or in re-
spect of any alleged neglect or default in the execution of
his duty or authority, the following provisions shall have
effect:

(a) The action, prosecution or proceeding shall not
lie or be instituted unless it is commenced within six months
next after the act, neglect or default complained of, or
in case of a continuance of injury or damage, within six
months next after the ceasing thereof.

(b) Whenever in any such action a judgment is obtained
by the defendant, it shall carry costs to be taxed as between
solicitor and client.

(c) Where the proceeding is an action for damages,
tender of amends before the action was commenced may in
lieu of or in addition to any other plea be pleaded. If
the action was commenced after the tender or is proceeded
with after payment into court of any money in satisfaction
of the plaintiff's claim and the plaintiff does not recover
more than the sum tendered or paid, he shall not recover
any costs incurred after the tender or payment and the
defendant shall be entitled to costs to be taxed as between
solicitor and client as from the time of the tender or pay-
ment, but this provision shall not affect costs on any in-
junction in the action.

(d) If in the opinion of the court the plaintiff has not
given the defendant a sufficient opportunity of tendering
amends before the commencement of the proceeding,
the court may award to the defendant costs to be taxed as
between solicitor and client.

(2) This section shall not affect any proceedings by any department of the government against any authority or officer of any city, town, village or municipal district.

No. 92.

FOURTH SESSION
FOURTH LEGISLATURE
11 GEORGE V
1921

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An Act for the Protection of Persons
Acting in the Execution of
Statutory or other Public Duties.

Received and read the

First time

Second time

Third time

HON. MR. BOYLE.

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A.D. 1921