

1993 BILL 222

First Session, 23rd Legislature, 42 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 222

LIMITATION OF ACTIONS
AMENDMENT ACT, 1993

MR. DICKSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 222
Mr. Dickson

BILL 222

1993

LIMITATION OF ACTIONS AMENDMENT ACT, 1993

(Assented to , 1993)

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

1 The Limitation of Actions Act is amended by this Act.

*2 Section 51(b) is amended by adding "including economic loss
arising from the injury" after "person,".*

*3 Section 51 is amended by renumbering it as section 51(1) and by
adding the following after subsection(1):*

*(2) A person is not governed by a limitation period and may
at any time bring an action in tort or for negligence*

*(i) where the cause of action is based on conduct of a
sexual nature,*

*(ii) where the conduct occurred while the person was still
a minor, and*

*(iii) whether or not the person's right to bring the action
was at any time governed by a limitation period.*

4 This Act comes into force on Proclamation.

Explanatory Notes

1 This Bill will amend chapter L-15 of the Revised Statutes of Alberta 1980.

2 The amendments will permit an action with respect to damages for sexual abuse of a minor to be brought at any time. Section 51 presently reads:

51 Except as otherwise provided in this Part, an action for

- (a) defamation,
- (b) trespass to the person, assault, battery, wounding or other injury to the person, whether arising from an unlawful act or from negligence or from breach of a statutory duty.
- (c) false imprisonment,
- (d) malicious prosecution,
- (e) seduction,
- (f) trespass or injury to real property or chattels, whether direct or indirect and whether arising from an unlawful act or from negligence or from breach of a statutory duty, or
- (g) the taking away, conversion or detention of chattels,

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 - (2) A person is not governed by a limitation period and may at any time bring an action in tort or for negligence
 - (i) where the cause of action is based on conduct of a sexual nature,
 - (ii) where the conduct occurred while the person was still a minor, and
 - (iii) whether or not the person's right to bring the action was at any time governed by a limitation period.
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may be commenced within 2 years after the cause of action arose, and not afterwards.