

2010 Bill 3

Third Session, 27th Legislature, 59 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 3

FATAL ACCIDENTS AMENDMENT ACT, 2010

MR. WEADICK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 3
Mr. Weadick

BILL 3

2010

FATAL ACCIDENTS AMENDMENT ACT, 2010

(Assented to , 2010)

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

Amends RSA 2000 cF-8

1 The *Fatal Accidents Act* is amended by this Act.

2 Section 1(a) is repealed and the following is substituted:

- (a) “child”, except in section 8, includes a son, daughter, grandson, granddaughter, stepson and stepdaughter;

3 Section 8 is amended

(a) by repealing subsection (1)(a) and substituting the following:

- (a) “child” means a son or daughter;

(b) in subsection (2)

(i) in clause (a) by striking out “subsections (3) and (4)” and substituting “subsection (3)”;

(ii) by repealing clause (b) and substituting the following:

Explanatory Notes

1 Amends chapter F-8 of the Revised Statutes of Alberta 2000.

2 Section 1(a) presently reads:

1 In this Act,

(a) “child” includes a son, daughter, grandson, granddaughter, stepson, stepdaughter and illegitimate child;

3 Section 8 presently reads in part:

8(1) In this section,

(a) “child” means a son or daughter, whether legitimate or illegitimate;

(b) “parent” means a mother or father.

(2) If an action is brought under this Act, the court, without reference to any other damages that may be awarded and without evidence of damage, shall award damages for grief and loss of the guidance, care and companionship of the deceased person of

(b) \$75 000 to the parent or parents of the deceased person to be divided equally if the action is brought for the benefit of both parents, and

(iii) by repealing clause (c) and substituting the following:

(c) \$45 000 to each child of the deceased person.

- (a) subject to subsections (3) and (4), \$75 000 to the spouse or adult interdependent partner of the deceased person,*
- (b) \$75 000 to the parent or parents of the deceased person if the deceased person, at the time of death,*
 - (i) was a minor, or*
 - (ii) was not a minor but was unmarried and had no adult interdependent partner,*

to be divided equally if the action is brought for the benefit of both parents, and
- (c) \$45 000 to each child of the deceased person who, at the time of the death of the deceased person,*
 - (i) is a minor, or*
 - (ii) is not a minor but is unmarried and has no adult interdependent partner.*

