

CHARITABLE DONATION OF FOOD ACT

Chapter C-8

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

Definition

1 In this Act, "person" includes an unincorporated organization.

1999 cC-4.3 s1

Liability

2(1) A person who donates food or who distributes donated food to another person is not liable for damages resulting from injury or death caused by the consumption of the food unless

- (a) the food was adulterated, rotten or otherwise unfit for human consumption, and
- (b) in donating or distributing the food, the person
 - (i) intended to injure or to cause the death of the recipient of the food, or
 - (ii) acted with reckless disregard for the safety of others.

(2) A director, officer, agent or employee of a corporation or organization or a volunteer who provides services or assistance to a corporation or organization that donates food or that distributes donated food is not personally liable for any damages resulting from injury or death caused by the consumption of the food unless

- (a) the food was adulterated, rotten or otherwise unfit for human consumption, and
- (b) in donating or distributing the food, the director, officer, agent, employee or volunteer
 - (i) intended to injure or to cause the death of the recipient of the food, or
 - (ii) acted with reckless disregard for the safety of others.

1999 cC-4.3 s2

Exception

3 This Act does not apply to a person who distributes donated food for profit.

1999 cC-4.3 s3

Coming into force

4 This Act comes into force on Proclamation.

1999 cC-4.3 s4

(NOTE: Proclaimed in force December 5, 2001.)

