



BILL NO. 66

Private Member's Bill

*1st Session, 63rd General Assembly
Nova Scotia
67 Elizabeth II, 2018*

An Act to Amend Chapter 497 of the Revised Statutes, 1989, the Volunteer Services Act

CHAPTER 20
ACTS OF 2018

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 18, 2018**

Keith Bain
Victoria–The Lakes

*Halifax, Nova Scotia
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**An Act to Amend Chapter 497
of the Revised Statutes, 1989,
the Volunteer Services Act**

Be it enacted by the Governor and Assembly as follows:

1 Subsection 2(1) of Chapter 497 of the Revised Statutes, 1989, the *Volunteer Services Act*, as amended by Chapter 34 of the Acts of 1992, is further amended by striking out “donates or distributes, for free, food or sundries to those in need.” and substituting the following clauses:

- (a) donates or distributes, for free, food or sundries to those in need; or
- (b) owns or occupies premises, other than a hospital or other premises used primarily for the purpose of providing health care to individuals, in which an automatic external defibrillator is made available for use.

2 Chapter 497 of the Revised Statutes, 1989, the *Volunteer Services Act*, is amended by adding immediately after Section 4A the following Section:

4B (1) A volunteer is not liable for damages incurred as a result of injury, illness, disease or death resulting from the use of an automatic external defibrillator unless it is established that the injury, illness, disease or death was caused by the gross negligence or the wilful misconduct of the volunteer and no proceeding shall be commenced against the volunteer that is not based upon the alleged gross negligence or wilful misconduct of that person.

(2) A volunteer responsible for an automatic external defibrillator is not responsible for damages incurred as a result of injury, illness, disease or death resulting from the use of the automatic external defibrillator unless it is established that the volunteer did not take reasonable steps to ensure the defibrillator was maintained in accordance with the manufacturer’s guidelines and other applicable guidelines.
