

## CHAPTER 2

### **An Act to protect persons from liability in respect of voluntary emergency medical or first aid services**

*Assented to April 27, 2001*

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

#### **Definition**

1. In this Act,

“health care professional” means a member of a College of a health profession set out in Schedule 1 to the *Regulated Health Professions Act, 1991*.

#### **Protection from liability**

2. (1) Despite the rules of common law, a person described in subsection (2) who voluntarily and without reasonable expectation of compensation or reward provides the services described in that subsection is not liable for damages that result from the person’s negligence in acting or failing to act while providing the services, unless it is established that the damages were caused by the gross negligence of the person.

#### **Persons covered**

(2) Subsection (1) applies to,

- (a) a health care professional who provides emergency health care services or first aid assistance to a person who is ill, injured or unconscious as a result of an accident or other emergency, if the health care professional does not provide the services or assistance at a hospital or other place having appropriate health care facilities and equipment for that purpose; and
- (b) an individual, other than a health care professional described in clause (a), who provides emergency first aid assistance to a person who is ill, injured or unconscious as a result of an accident or other emergency, if the individual provides the assistance at the immediate scene of the accident or emergency.

#### **Reimbursement of expenses**

(3) Reasonable reimbursement that a person receives for expenses that the person reasonably incurs in providing the services described in subsection (2) shall be deemed not to be compensation or reward for the purpose of subsection (1).

#### **Commencement**

3. **This Act comes into force on the day it receives Royal Assent.**

#### **Short title**

4. **The short title of this Act is the *Good Samaritan Act, 2001*.**