



PLEASE NOTE

This document, prepared by the [Legislative Counsel Office](#), is a consolidation of this statute current to November 1, 2003. It is intended for information and reference purposes only.

For more information concerning the history of this Act, please see the [Table of Public Acts](#).

This document is *not* the official version of the statute printed pursuant to the authority of the [Queen's Printer Act](#) R.S.P.E.I. 1988, Cap. Q-1.

This Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted when determining the authoritative statement of the law.

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CHAPTER V-5

VOLUNTEERS LIABILITY ACT

1. (1) In this Act, “volunteer” means any individual, not in receipt of fees, wages or salary therefor, who renders services or assistance, whether or not that individual has special training to render the service or assistance and whether or not the service or assistance is rendered by the individual alone or in conjunction with others.

Definition of
volunteer

(2) For greater certainty, a person who is a volunteer fire-fighter is not, for the purpose of subsection (1), in receipt of fees, wages or salary by reason only of receiving a payment, not made as a result of an employer-employee relationship, in recognition of services performed by that person as a fire-fighter or for performing services customarily rendered by a volunteer fire department. 1994,c.65,s.1.

Volunteer fire-
fighter

2. Where, in respect of a person who is ill, injured or unconscious as a result of an accident or other emergency, a volunteer renders services or assistance at any place, the volunteer is not liable for damages for injuries to or the death of that person alleged to have been caused by an act on the part of the volunteer while rendering services or assistance, unless it is established that the injuries or death were caused by gross negligence on the part of the volunteer, and no proceeding shall be commenced against a volunteer which is not based upon his or her alleged gross negligence. 1994,c.65,s.2.

Emergency
assistance to person

3. Where, in respect of real or personal property in danger, a volunteer renders services or assistance to protect or preserve the endangered property, the volunteer is not liable for damage resulting to the property alleged to have been caused by an act on the part of the volunteer while rendering services or assistance, unless it is established that the damage was caused by gross negligence on the part of the volunteer, and no proceeding shall be commenced against a volunteer which is not based upon his or her alleged gross negligence. 1994,c.65,s.3.

Assistance
respecting
endangered
property

4. Sections 2 and 3 are declaratory and shall be deemed to be the common law of the province as it always has been and as it is. 1994,c.65,s.4.

Common law