

# CHARITABLE DONATION OF FOOD ACT

## CHAPTER C-4.3

(Assented to December 9, 1999)

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

### Liability

2

(1) A person who donates food or who distributes donated food to another person is not liable for damages resulting in 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 a corporation or organization that donates food or that distributes donated food is not personally liable for any damages 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, 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

### Exception

3

This act does not apply to a person who distributes donated food for profit

4

This act comes into force on Proclamation  
Proclaimed in force December 5, 2001