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OCT 20 2009

Ref: 133769

Ms. Karen Goodings, Chair
and Members of the Board
Peace River Regional District
PO Box 810
Dawson Creek, BC V1G 4H8

Dear Chair Goodings and Board Members:

As the Minister of Community and Rural Development, I appreciated the opportunity to meet with you and your delegation at the annual UBCM Convention (Convention) in Vancouver, and to hear about the issues facing your community.

I was pleased to discuss your concerns related to local government joint and several liability.

I am aware that local governments have, over the years, expressed concerns about their potential liability for negligence, the time period for which that potential liability lasts, and the cost of liability if they are found responsible with others, such as builders and design professionals.

As you may be aware, joint and several liability is a long-standing and fundamental principle of negligence law that applies to everyone, not just local governments. As we discussed, the Ministry of Attorney General (MAG) undertook a review of that principle in 2004, and at the conclusion of that process, it was determined that government would not proceed with any changes to the current system.

The MAG continues to monitor the state of civil liability to ensure it is fair and efficient, through its ongoing review of the *Limitation Act*. However, I recognize that there may now be an opportunity to review the 30-year liability limitation requirement with a consideration to reduce that time frame. I will follow up with my colleague, Honourable Michael de Jong, Attorney General, to explore options for moving forward with this review.

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Ministry of Community
and Rural Development

Office of the Minister



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Thank you, again, for informing me of your issues. It is always valuable to hear directly from local governments about concerns in their communities. I trust that you and members of your local government enjoyed a successful Convention.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Bennett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Bill Bennett
Minister

pc: Honourable Michael de Jong
Attorney General

Mr. Pat Pimm, MLA
Peace River North

Honourable Blair Lekstrom, MLA
Peace River South

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