

Social Action, Responsibility and Heroism Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Ministry of Justice, are published separately as HL Bill 47 – EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

Lord Faulks has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Social Action, Responsibility and Heroism Bill are compatible with the Convention rights.

Social Action, Responsibility and Heroism Bill

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TO

Make provision as to matters to which a court must have regard in determining a claim in negligence or breach of statutory duty.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 When this Act applies

This Act applies when a court, in considering a claim that a person was negligent or in breach of statutory duty, is determining the steps that the person was required to take to meet a standard of care.

2 Social action

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The court must have regard to whether the alleged negligence or breach of statutory duty occurred when the person was acting for the benefit of society or any of its members.

3 Responsibility

The court must have regard to whether the person, in carrying out the activity in the course of which the alleged negligence or breach of statutory duty occurred, demonstrated a generally responsible approach towards protecting the safety or other interests of others.

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4 Heroism

The court must have regard to whether the alleged negligence or breach of statutory duty occurred when the person was acting heroically by intervening in an emergency to assist an individual in danger and without regard to the person's own safety or other interests.

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5 Extent, commencement and short title

(1) This Act extends to England and Wales only.

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- (2) Sections 1 to 4 come into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (3) Regulations under subsection (2) may include such transitional provision as the Secretary of State considers appropriate.
- (4) This section comes into force on the day on which this Act is passed.
- (5) This Act may be cited as the Social Action, Responsibility and Heroism Act 2014.

Social Action, Responsibility and Heroism Bill

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To make provision as to matters to which a court must have regard in determining a claim in negligence or breach of statutory duty.

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