

Appendix A- Firefighter Protection Act

SNL1996 CHAPTER F-11.1 - FIREFIGHTERS' PROTECTION ACT

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SNL1996 CHAPTER F-11.1

FIREFIGHTERS' PROTECTION ACT

Amended:

CHAPTER F-11.1

AN ACT TO PROVIDE FIREFIGHTERS WITH PROTECTION FROM PERSONAL LIABILITY

(Assented to December 19, 1996)

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Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows:

Short title

- 1.** This Act shall be cited as the *Firefighters' Protection Act*.

[1996 cF-11.1 s1](#)

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Definitions

- 2.** In this Act

(a) "fire department" means a fire department organized under the *Municipalities Act*, the *City of St. John's Act* or the *City of Corner Brook Act* and includes a fire department established in an unincorporated area of the province; and

(b) "firefighter" means a full-time or part-time employee of a fire department, or a volunteer member of a fire department, whether or not the volunteer receives a nominal consideration or honorarium for his or her services.

[1996 cF-11.1 s2](#)

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Protection from personal liability

3. An action or other proceeding for damages shall not be instituted against a firefighter for an act done in good faith in the execution or intended execution of his or her duty or for any neglect or for any alleged neglect or default in the execution in good faith of his or her duty.

[1996 cF-11.1 s3](#)

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Indemnification of firefighters

4. (1) A firefighter who acted in good faith in the execution of his or her duties shall be indemnified for reasonable legal costs incurred

(a) in the defence of a civil action, if the firefighter is not found to be liable;

(b) in the defence of a criminal prosecution, if the firefighter is found not guilty; and

(c) in respect of another proceeding in which the firefighter's execution of his or her duties is an issue, if the firefighter acted in good faith.

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(2) Indemnification under subsection (1) shall be made, in the case of a firefighter in a municipal fire department or local service district fire department, by that municipal corporation or local service district committee.

[1996 cF-11.1 s4](#)

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Liability

5. Section 4 of the Act does not relieve a municipal corporation or local service district committee of liability in respect of a tort committed by a firefighter to which the municipal corporation or local service district committee would otherwise be liable.

[1996 cF-11.1 s5](#)

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