

## SCHOOL ACT

### [RSBC 1996] CHAPTER 412

#### Part 6 - Boards of Education

##### Division 4 — Limitation of Actions and Indemnification

###### Interpretation

**93** In this Division, a reference to a trustee, officer or employee includes a former trustee, officer or employee.

###### Actions against board

**94** (1) No action for damages lies or may be instituted against a trustee, an officer or an employee of a board for anything said or done or omitted to be said or done by him or her in the performance or intended performance of his or her duty or the exercise of his or her power or for any alleged neglect or default in the performance or intended performance of the duty or the exercise of the power.

(1.1) No action for damages lies or may be instituted against a volunteer for anything said or done or omitted to be said or done by him or her in the provision of volunteer services for a board, or for any alleged neglect or default in the provision of volunteer services for the board by the volunteer.



(2) Subsections (1) and (1.1) do not provide a defence if

(a) the trustee, officer, employee or volunteer has, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or wilful misconduct, or

(b) the cause of action is libel or slander.

(3) No action may be brought against a trustee, an officer or an employee of a board or a student or volunteer in respect of personal or other injuries sustained by a person arising out of the operation by the board of traffic patrols.



(4) Subsections (1), (1.1) and (3) do not absolve a board from vicarious liability arising out of a tort committed by a trustee, officer, or employee of the board, a student or a volunteer for which the board would have been liable had subsections (1), (1.1) and (3) not been in force.