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Backgrounder

Proposed Legislative Changes in the Report on Contribution after Settlement under the Negligence Act

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WHAT ARE THE PROPOSED CHANGES?

The report recommends that the *Negligence Act* be amended to provide that:

- when there is a partial settlement of multiparty litigation involving concurrent wrongdoers, the non-settling wrongdoers no longer have rights to contribution and indemnity against the settling wrongdoers and vice versa; and
- a partial settlement does not affect the joint and several liability of any non-settling wrongdoers who are ultimately found to be at fault for the injured person's damage or loss.

WHY SHOULD THE LEGISLATURE ENACT THESE CHANGES?

Enacting these amendments will:

- encourage parties to settle complex, multiparty disputes before they get to trial;
- clarify an area of the law that has been providing confusion in practice; and
- benefit British Columbians as a whole by freeing up judicial resources.