

# Index

(References in the Index are to heading numbers. Those references beginning with the letters “OLA” are to heading numbers in the “British Columbia Occupiers Liability Act Annotated”. Those beginning with the letters “INS” are to heading numbers in “Insurance Issues”. Those beginning with the letter “B” are to heading numbers in the Appendix B “Occupiers Liability Practice Guide”).

- abating the danger**, OLA 3:20, B 2:32
- abduction**, B 2:31
- alcohol**, OLA 1:20, OLA 3:20, B 3:13, B 4:60
- all terrain vehicle (ATV)**, OLA 3:20, OLA 3:35
- altercation**. *See* **fight**
- animals**, OLA 3:20, B 4:70. *See also* **bull**
- Anns test**, OLA 8:20, B 2:32, B 4:41
- apportioning** —
  - fault, OLA 3:20, OLA 7:20, B 4:10
  - liability, B 3:13
- “arising out of” defined**, INS 1:20
- assault**. *See* **fight**
- assumption of risk**, OLA 1:20, OLA 3:10, OLA 3:30, B 3:11
  
- bad character**, B 4:60
- balcony**, OLA 3:20, OLA 6:20
- bankruptcy of occupier**, B 5:20
- baseball diamond**, OLA 3:20
- bedbugs**, B 4:70
- boat**, OLA 1:20, OLA 3:20
- bouncers**, OLA 1:20, B 4:60
- bridge**, OLA 1:20, OLA 3:20, B 3:13
- building** —
  - manager, OLA 1:20
  - owner, OLA 1:20
- Building Code**, OLA 1:20, OLA 3:20, OLA 5:20, OLA 6:20, B 2:32, B 2:40, B 4:10
- bull**, OLA 3:20, B 3:12
  
- campground**, OLA 3:20, OLA 8:20

**causation**, OLA 3:20, OLA 8:20, INS 1:20, B 2:40, B 4:10, B 4:20  
**chair**, OLA 1:30, OLA 3:20  
**chattel**, OLA 1:30  
**children**, OLA 3:20, OLA 6:20, B 3:13  
**commercial host liability**, B 4:60  
**commercial lands**, OLA 1:20, OLA 3:20  
**commercial tenancy**, OLA 6:10, B 4:30  
**Commercial Tenancy Act**, OLA 6:20, B 4:30  
**common law**, OLA 0:10, OLA 1:10, OLA 1:20, OLA 2:20, OLA 3:20,  
OLA 6:20, OLA 9:10, OLA 9:20, B 1:10, B 2:20, B 2:31, B 2:32, B  
3:11, B 4:20, B 4:60  
**cones**, OLA 3:20  
**contractors**, OLA 1:20, OLA 2:20, OLA 3:20, OLA 5:10, OLA 5:20, B  
4:20  
**contributory negligence**, OLA 1:20, OLA 3:20, OLA 5:20, OLA 8:20, B  
3:13  
    children and, B 3:13  
**control**, OLA 1:20, OLA 6:20  
**cowboys**, OLA 9:20  
**criminal act**, OLA 3:10  
**crosswalk**, OLA 3:20  
**Crown**, OLA 8:10, B 4:41  
**Crown Proceeding Act**, OLA 8:20, B 4:41

**danger**, OLA 1:10, OLA 2:20, OLA 3:10, OLA 3:20, OLA 6:20, OLA  
8:20, B 2:31, B 2:32, B 3:12, B 3:13  
**dangerous activities/sports**, OLA 3:30, B 3:11  
**dark**, OLA 3:20  
**deck**, OLA 6:20  
**depressions in pavement**, OLA 3:20  
**dirt road**, OLA 3:20  
**dogs**, OLA 3:20  
**doors**, OLA 3:20, OLA 6:20, B 4:10  
**driveway**, OLA 3:20  
**drugs**, B 3:13  
**duty of care**, OLA 0:10, OLA 1:10, OLA 1:20, OLA 2:10, OLA 2:20,  
OLA 3:10, OLA 3:20, OLA 4:10, OLA 6:10, OLA 6:20, OLA 8:20,  
B 2:10, B 2:31, B 2:32, B 2:40, B 3:11  
    modification of, OLA 4:10

**duty to defend**, INS 1:20, B 5:20

**elevator**, OLA 3:20

**employees**, OLA 1:20, OLA 3:20, OLA 3:40

**escalator**, OLA 3:20, B 2:31, B 3:13

**exclusion of liability**, OLA 3:20, OLA 4:20, INS 1:20. *See also* waivers

**exemption clause**, OLA 2:20, OLA 4:20

**failure** —

to abate hazard, B 2:31

to intervene, OLA 3:20

to report incident, OLA 3:20

to warn, OLA 3:20

**farm**, OLA 1:20, OLA 7:20

**fault**, OLA 3:20, OLA 3:30, OLA 7:20, B 4:10

**ferry**, OLA 3:20

**fight**, OLA 3:20, OLA 3:40, B 4:60

**floors**, OLA 3:20, OLA 5:20, OLA 6:20, B 2:32

**footwear**, OLA 3:20, B 2:32, B 3:13

**foreseeability**, OLA 1:20, OLA 3:20, B 2:31, B 2:32, B 5:20

**Forest Act**, B 4:41

**frost**, OLA 3:20. *See also* ice

**glass**, OLA 3:20, B 2:32

**golf course**, OLA 3:20, B 5:20

**grass**, OLA 1:20, OLA 3:20, B 3:11

**guardrail**, OLA 1:20, OLA 3:20

**guests**, OLA 3:20, OLA 6:20, B 2:31

**handrail**, OLA 1:20, OLA 3:20, OLA 4:10, OLA 6:20, B 2:32, B 2:40

**Highway Act**, OLA 5:20, OLA 8:20

**Highway (Industrial) Act**, B 4:41

**highways**, OLA 3:20, OLA 5:20, OLA 8:20, B 4:41

**hockey**, OLA 3:20, OLA 6:20

**hole**, OLA 1:20, OLA 3:20

**horseplay**, OLA 3:20, B 2:40, B 4:60

**hospitals, duty of care**, OLA 2:20, OLA 3:20, B 5:20

**hotel**, OLA 1:20, OLA 3:20

**ice**, OLA 1:20, OLA 1:30, OLA 3:20, OLA 3:30, OLA 5:20, B 2:31, B

2:32

**indemnification**, INS 1:30

**Indian Reserve**, OLA 1:20

**inherently dangerous**, OLA 3:20, B 4:20

**intentional act**, INS 1:20

**intoxicated**, OLA 1:20, OLA 3:20, OLA 3:30, OLA 3:40, B 2:30, B 3:13, B 4:60. *See also* alcohol

**jury**, B 2:31, B 5:10

**known hazards**, OLA 3:20

**ladders**, OLA 1:20, OLA 2:20, OLA 3:20

**land titles search**, B 2:10

**landlord**, OLA 0:10, OLA 1:20, OLA 1:30, OLA 3:20, OLA 4:20, OLA 5:20, OLA 6:10, OLA 6:20, B 4:10, B 4:30

**lease**, OLA 1:20, OLA 3:20, OLA 6:10, OLA 6:20, B 2:20, B 4:10, B 4:30

**lighting**, OLA 1:20, OLA 3:20, OLA 6:20

**limitation period**, B 5:20

**Liquor Control and Licensing Act**, B 4:60

**lookout**, OLA 3:20

**maintenance and repair**, OLA 1:20, OLA 3:20, OLA 6:20, B 5:20

**maintenance system**, OLA 3:20, OLA 5:20, B 2:32

**managers**, OLA 1:20, OLA 3:20

**meat grinder**, OLA 3:20

**mental deficiency**, B 4:50

**mobile home**, OLA 3:20

**Motor Vehicle Act**, B 4:41

**motorcycles**, OLA 3:20

**municipal lands**, OLA 1:20, OLA 3:20

**municipality**, OLA 3:20, OLA 8:20, B 4:42

**National Building Code**, OLA 3:20

**negligence**, OLA 0:10, OLA 1:20, OLA 3:20, OLA 4:20, OLA 5:10, OLA 5:20, OLA 6:20, OLA 7:20, B 1:10, B 2:20, B 2:31, B 2:32, B 2:40, B 3:13, B 4:20, B 4:60

**Negligence Act**, OLA 0:10, OLA 3:20, OLA 5:20, OLA 6:20, OLA 7:10, B 4:10

## INDEX

---

**nightclub**, OLA 1:20, OLA 3:20

**notice of claim**, B 4:42

**“occupier” defined**, OLA 1:10, OLA 1:20, OLA 3:20, OLA 6:20,  
B 2:20

**office**, OLA 1:20, OLA 3:20

**operational decisions**, OLA 8:20, B 2:32, B 4:41

**owners**, OLA 1:20

**parking lot**, OLA 1:20, OLA 3:20, OLA 5:20

**parks**, OLA 3:20

**pavement**, OLA 1:20, OLA 3:20

**pedestrians**, OLA 1:20, OLA 3:20

**“physical possession” defined**, OLA 1:10, OLA 1:20, OLA 3:20,  
OLA 6:20

**planters**, OLA 1:20, OLA 3:20

**playgrounds**, OLA 3:20, B 2:32

**policy**, OLA 3:20, OLA 8:20

**policy decisions**, OLA 3:20, B 2:32

**pool**, OLA 3:20, OLA 7:20, B 4:60

**“premises” defined**, OLA 1:30

**presumption of negligence**, OLA 3:20

**pub**, OLA 3:20

**puddles**, OLA 3:20

**pumphouse**, OLA 3:20

**rail**, OLA 3:20. *See also* handrail

**ramps**, OLA 3:20

**reasonable care**, OLA 3:20, OLA 5:10, OLA 5:20, OLA 8:20

**reasonably safe**, OLA 3:10, OLA 3:20, B 2:32

**reckless disregard**, OLA 3:10, OLA 3:20, B 3:12

**“recreational” defined**, OLA 3:20, OLA 3:35

**recreational activity**, OLA 3:10

**release**. *See* waivers

**renovations**, OLA 6:20

**residential property**, OLA 3:20

**Residential Tenancy Act**, OLA 3:20, OLA 6:10, OLA 6:20, B 4:30

**responsibility**, OLA 1:10, OLA 1:20, OLA 3:20, OLA 6:20

**restaurant**, OLA 3:20, OLA 6:20

**rifle**, B 4:60  
**risks**, OLA 1:20, OLA 3:10, OLA 3:20, OLA 3:30  
    of everyday life, B 3:11  
**rocks**, OLA 3:20, OLA 5:20, OLA 8:20  
**roof**, OLA 3:20  
**rot**, OLA 3:20, OLA 6:20  
**rural**, OLA 3:20, OLA 3:35  
**“rural premises” defined**, OLA 1:20

**school**, OLA 3:20  
**scuffle**. *See* fight  
**service bay**, OLA 3:20  
**settlement of claims**, B 5:15  
**shoes**. *See* footwear  
**sidewalks**, OLA 1:20, OLA 1:30, OLA 3:20, OLA 5:30, OLA 6:20,  
    OLA 8:20, B 1:10, B 2:20, B 2:31, B 2:32  
**signs**, OLA 3:20, OLA 4:20, OLA 5:20  
**similar circumstances**, B 2:31  
**skating rink**, OLA 3:20, OLA 3:30  
**skiing**, OLA 3:20, OLA 4:20, B 3:11, B 3:13  
**slip and fall**, OLA 1:20, OLA 3:20, OLA 5:20, OLA 6:20, OLA 8:20,  
    INS 1:20, B 2:32, B 3:11, B 3:13, B 4:60  
**snow**, OLA 1:20, OLA 3:20, B 2:32  
**social host liability**, B 4:60  
**speed bump**, OLA 3:20  
**spills**, OLA 3:20  
**spontaneous event**, OLA 3:20  
**stairs**, OLA 1:20, OLA 3:20, OLA 4:20, OLA 6:20  
**standard of care**, OLA 0:10, OLA 1:20, OLA 3:20, OLA 8:20, B 1:10  
**storage area**, OLA 1:20, OLA 3:20, OLA 6:20  
**store**, OLA 1:20, OLA 3:20, OLA 6:20  
**students**, OLA 3:20  
**supermarket**, OLA 3:20. *See also* store

**tenants**, OLA 1:20, OLA 3:20, OLA 4:20, OLA 5:20, OLA 6:10, OLA  
    6:20, B 2:20, B 4:10, B 4:30. *See also* lease  
**tennis**, OLA 4:20  
**theatre**, OLA 3:20  
**throwing**, OLA 3:20

## INDEX

---

**trap door**, OLA 3:20, OLA 6:20  
**tree, dead**, OLA 1:20, OLA 3:20, OLA 4:20  
**trespass**, OLA 3:10, OLA 3:20, B 4:60  
**“trespasser” defined**, OLA 3:20, OLA 3:35, OLA 6:20

**uneven pavement**, OLA 1:20  
**unusual danger**, OLA 2:20, OLA 3:20, B 2:31, B 2:32

**vehicle**, OLA 3:20, B 3:13, B 4:60  
**vicarious liability**, OLA 3:20  
**violence**, OLA 3:20, B 2:31  
**visitors**, OLA 3:20  
**volenti non fit injuria**, OLA 3:30, B 3:11

**waivers**, OLA 3:20, OLA 4:10, OLA 4:20, B 3:11  
**walls**, OLA 3:20, OLA 6:20  
**warehouse**, OLA 3:20  
**warnings**, OLA 1:10, OLA 2:20, OLA 3:20, B 2:31, B 3:11, B 4:60  
**water**, OLA 3:20, OLA 5:20, OLA 6:20  
**water slide**, OLA 3:20  
**waterfront lands**, OLA 8:20  
**weather conditions**, OLA 3:20  
**weight of causation**, OLA 3:20, OLA 7:20, B 4:10  
**well**, OLA 6:20  
**windows**, OLA 3:20