

Personal Responsibility Bill

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TO

Place upon the individual a greater responsibility for the consequences for him of his own actions and of any failure on his part to use common sense; and for connected purposes.

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 Principle of personal responsibility

In any civil or criminal action the court must have regard to the principle that a person (P) is responsible for whatever may happen to P as a result of P's own actions and of any failure on the part of P to use common sense, unless—

- (a) there has been a clear breach of a duty of care owed to P by another person, or 5
- (b) P has suffered injury or damage as a result of a deliberate act of another person.

2 Amendment of Health and Safety at Work etc. Act 1974

- (1) The Health and Safety at Work etc. Act 1974 (c. 37) is amended as follows. 10
- (2) After section 1 insert—

“1A Principle of personal responsibility

Nothing in this Act shall impose any liability on any person for any accidental injury or damage suffered by any other person (P) which could have been averted if P had used common sense.” 15

3 Amendment of Law Reform (Contributory Negligence) Act 1945

- (1) The Law Reform (Contributory Negligence) Act 1945 (c. 28) is amended as follows.
- (2) In the proviso to section 1 (apportionment of liability in case of contributory

negligence) after paragraph (b) insert –

“(c) where the fault of the person suffering the damage was a failure to use common sense, no damages shall be recoverable by that person.”

4 Short title, commencement and extent

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- (1) This Act may be cited as the Personal Responsibility Act 2009.
- (2) This Act shall come into force at the end of the period of 2 months beginning with the day on which this Act is passed.
- (3) This Act extends to England and Wales only.

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*Presented by Norman Baker
supported by*

*Ordered, by The House of Commons,
to be Printed, XXth Month 2009.*

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