

(2) The relevant portion of subsection 26(2) at present reads as follows:

“(2) Where any person incurs actual loss or damage as a result of debris or Her Majesty in right of Canada reasonably incurs any costs or expenses in taking any remedial action in relation to debris,

(a) the person who obtained an authorization under paragraph 5(1)(b) in respect of the work or activity from which the debris originated is liable, without proof of fault or negligence, up to any applicable limit of liability, for all such actual loss or damage and all such costs or expenses; and”

(3) The relevant portion of subsection 26(2) of the English version at present reads as follows:

“(2) Where any person incurs actual loss or damage as a result of debris or Her Majesty in right of Canada reasonably incurs any costs or expenses in taking any remedial action in relation to debris,

...
(b) all other persons to whose fault or negligence the debris is attributable or who are by law responsible for others to whose fault or negligence the debris is attributable are jointly and severally liable, to the extent determined according to the degree of the fault or negligence proved against them, for all such actual loss or damage and all such costs or expenses.”

(4) Subsection 26(3) at present reads as follows:

“(3) All claims under this section may be sued for and recovered in any court of competent jurisdiction in Canada and shall rank firstly in favour of persons incurring actual loss or damage, without preference, and secondly to meet any costs and expenses incurred by Her Majesty in right of Canada.”

(2). — Texte actuel du passage introductif et du passage visé du paragraphe 26(2) :

« (2) Lorsque des débris causent à quiconque une perte ou des dommages réels ou en cas de frais entraînés pour Sa Majesté du chef du Canada afin de remédier à la situation créée par la présence de débris :

a) le bénéficiaire de l'autorisation visée à l'alinéa 5(1)b) et relative aux activités qu'a provoquées la présence du débris est responsable, même en l'absence de preuve de faute ou de négligence, jusqu'à concurrence de la limite de responsabilité applicable, de l'intégralité de ces pertes, dommages ou frais; »

(3). — Texte actuel du passage introductif et du passage visé du paragraphe 26(2) de la version anglaise :

« (2) Where any person incurs actual loss or damage as a result of debris or Her Majesty in right of Canada reasonably incurs any costs or expenses in taking any remedial action in relation to debris,

...
(b) all other persons to whose fault or negligence the debris is attributable or who are by law responsible for others to whose fault or negligence the debris is attributable are jointly and severally liable, to the extent determined according to the degree of the fault or negligence proved against them, for all such actual loss or damage and all such costs or expenses. »

(4). — Texte actuel du paragraphe 26(3) :

« (3) Le recouvrement des créances fondées sur le présent article peut être poursuivi devant toute juridiction compétente au Canada; les créances correspondant aux pertes ou dommages réels sont traitées au prorata et prennent rang avant celles qui correspondent aux frais engagés par Sa Majesté du chef du Canada. »