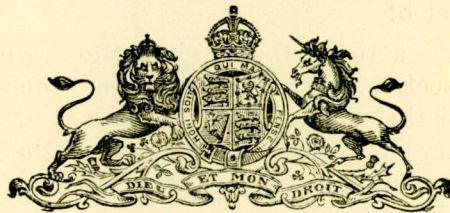


I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 14 February, 1945.

New South Wales.



ANNO NONO

GEORGI VI REGIS.

Act No. 1, 1945.

An Act to amend the law relating to liability in respect of breaches of duties imposed by statute. [Assented to, 19th February, 1945.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Statutory Duties Short title. (Contributory Negligence) Act, 1945."

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Act No. 1, 1945.

Statutory Duties (Contributory Negligence).

Defence of
contri-
butory
negligence
excluded in
certain
cases.

2. (1) Contributory negligence on the part of a person who has sustained personal injury shall not be a defence to an action for damages for that injury founded on a breach of a statutory duty imposed on the defendant for the benefit of a class of persons of which the person so injured was a member at the time the injury was sustained.

(2) Subsection one of this section shall apply to and in respect of—

- (a) every action of the character referred to in subsection one of this section which is brought after the commencement of this Act, whether the injury in respect of which the action is brought was sustained before or after such commencement; and
- (b) every action of the character referred to in subsection one of this section which is pending at the commencement of this Act.

In the name and on behalf of His Majesty I assent to this Act.

WAKEHURST,
Governor.

*Government House,
Sydney, 19th February, 1945.*

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 6 December, 1944.

New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. , 1944.

An Act to amend the law relating to liability in respect of breaches of duties imposed by statute.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. This Act may be cited as the "Statutory Duties Short title.
(Contributory Negligence) Act, 1944."

63517 30—

2.

Statutory Duties (Contributory Negligence).

2. (1) Contributory negligence on the part of a person who has sustained personal injury shall not be a defence to an action for damages for that injury founded on a breach of a statutory duty imposed on the defendant for the benefit of a class of persons of which the person so injured was a member at the time the injury was sustained.

Defence of contributory negligence excluded in certain cases.

(2) Subsection one of this section shall apply to and in respect of—

- 10** (a) every action of the character referred to in subsection one of this section which is brought after the commencement of this Act, whether the injury in respect of which the action is brought was sustained before or after such commencement; and
- 15** (b) every action of the character referred to in subsection one of this section which is pending at the commencement of this Act.

No. , 1944.

A BILL

To amend the law relating to liability in respect of breaches of duties imposed by statute.

[MR. EVATT;—8 November, 1944.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "Statutory Duties Short title.
(Contributory Negligence) Act, 1944."

Statutory Duties (Contributory Negligence).

2. (1) Contributory negligence on the part of a person who has sustained personal injury shall not be a defence to an action for damages for that injury founded on a breach of a statutory duty imposed on the defendant for the benefit of a class of persons of which the person so injured was a member at the time the injury was sustained.

Defence of contributory negligence excluded in certain cases.

(2) Subsection one of this section shall apply to and in respect of—

- 10** (a) every action of the character referred to in subsection one of this section which is brought after the commencement of this Act, whether the injury in respect of which the action is brought was sustained before or after such commencement; and
- 15** (b) every action of the character referred to in subsection one of this section which is pending at the commencement of this Act.