

New South Wales.



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 33, 1953.

An Act to enlarge the period within which actions may be brought under the Compensation to Relatives Act, 1897-1946; for this purpose to amend that Act; and for purposes connected therewith. [Assented to, 16th December, 1953.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Compensation to Relatives (Amendment) Act, 1953."

Short title
and
citation.

Compensation to Relatives (Amendment).

(2) The Compensation to Relatives Act of 1897, as amended by subsequent Acts and by this Act, may be cited as the Compensation to Relatives Act, 1897-1953.

2. The Compensation to Relatives Act of 1897, as amended by subsequent Acts, is amended—

Amendment
of Act No.
31, 1897.

Sec. 5.
(Only one
action shall
lie and to be
commenced
within twelve
months.)

Sec. 6c.
(Survival of
action.)

- (a) by omitting from section five the words "twelve months" and by inserting in lieu thereof the words "six years";
- (b) by omitting subsection two of section 6c and by inserting in lieu thereof the following subsection:—

(2) If the wrongdoer dies before action, no proceedings shall be maintainable in respect of the cause of action which by virtue of this section has survived unless the cause of action arose not earlier than twelve months before the death of the wrongdoer and proceedings are taken in respect thereof not later than twelve months after the executor or administrator of the wrongdoer took out representation:

Provided that the fact that the cause of action arose earlier than twelve months before the death of the wrongdoer shall not, of itself, be a bar to the maintenance of such proceedings where the court in which the proceedings are taken is satisfied that sufficient cause has been shown or that, having regard to all the circumstances of the case, it would be reasonable to allow such proceedings to continue; but nothing in this proviso affects the operation of section five of this Act.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1953.

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.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 4 December, 1953.

New South Wales.



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ELIZABETHÆ II REGINÆ

Act No. 33, 1953.

An Act to enlarge the period within which actions may be brought under the Compensation to Relatives Act, 1897-1946; for this purpose to amend that Act; and for purposes connected therewith. [Assented to, 16th December, 1953.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Compensation to Relatives (Amendment) Act, 1953." Short title and citation.

(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.

Compensation to Relatives (Amendment).

(2) The Compensation to Relatives Act of 1897, as amended by subsequent Acts and by this Act, may be cited as the Compensation to Relatives Act, 1897-1953.

Amendment
of Act No.
31, 1897.

2. The Compensation to Relatives Act of 1897, as amended by subsequent Acts, is amended—

Sec. 5.
(Only one
action shall
lie and to be
commenced
within twelve
months.)

(a) by omitting from section five the words “twelve months” and by inserting in lieu thereof the words “six years”;

Sec. 6c.
(Survival of
action.)

(b) by omitting subsection two of section 6c and by inserting in lieu thereof the following subsection:—

cf. Act No.
23, 1944, s. 2
(3).

(2) If the wrongdoer dies before action, no proceedings shall be maintainable in respect of the cause of action which by virtue of this section has survived unless the cause of action arose not earlier than twelve months before the death of the wrongdoer and proceedings are taken in respect thereof not later than twelve months after the executor or administrator of the wrongdoer took out representation:

Provided that the fact that the cause of action arose earlier than twelve months before the death of the wrongdoer shall not, of itself, be a bar to the maintenance of such proceedings where the court in which the proceedings are taken is satisfied that sufficient cause has been shown or that, having regard to all the circumstances of the case, it would be reasonable to allow such proceedings to continue; but nothing in this proviso affects the operation of section five of this Act.

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 16th December, 1953.*

*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.*

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 3 December, 1953.

New South Wales.



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 1953.

An Act to enlarge the period within which actions may be brought under the Compensation to Relatives Act, 1897-1946; for this purpose to amend that Act; and for purposes connected therewith.

BE it enacted by the Queen'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. (1) This Act may be cited as the "Compensation to Relatives (Amendment) Act, 1953." Short title and citation.

Compensation to Relatives (Amendment).

(2) The Compensation to Relatives Act of 1897, as amended by subsequent Acts and by this Act, may be cited as the Compensation to Relatives Act, 1897-1953.

2. The Compensation to Relatives Act of 1897, as 5 amended by subsequent Acts, is amended—

Amendment of Act No. 31, 1897.

(a) by omitting from section five the words "twelve months" and by inserting in lieu thereof the words "six years";

Sec. 5. (Only one action shall lie and to be commenced within twelve months.)

10 (b) by omitting subsection two of section 6c and by inserting in lieu thereof the following subsection:—

Sec. 6c. (Survival of action.)

15 (2) If the wrongdoer dies before action, no proceedings shall be maintainable in respect of the cause of action which by virtue of this section has survived unless the cause of action arose not earlier than twelve months before the death of the wrongdoer and proceedings are taken in respect thereof not later than twelve months after the executor or administrator of the wrongdoer took out representation:

cf. Act No. 28, 1944, s. 2 (3).

20 Provided that the fact that the cause of action arose earlier than twelve months before the death of the wrongdoer shall not, of itself, be a bar to the maintenance of such proceedings where the court in which the proceedings are taken is satisfied that sufficient cause has been shown or that, having regard to all the circumstances of the case, it would be reasonable to allow such proceedings to continue; but nothing 25 in this proviso affects the operation of section 30 five of this Act.

No. , 1953.

A BILL

To enlarge the period within which actions may be brought under the Compensation to Relatives Act, 1897-1946; for this purpose to amend that Act; and for purposes connected therewith.

[MR. SHEAHAN;—2 December, 1953.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Compensation to Relatives (Amendment) Act, 1953." Short title and citation.

Compensation to Relatives (Amendment).

(2) The Compensation to Relatives Act of 1897, as amended by subsequent Acts and by this Act, may be cited as the Compensation to Relatives Act, 1897-1953.

2. The Compensation to Relatives Act of 1897, as amended by subsequent Acts, is amended—

Amendment of Act No. 31, 1897.

(a) by omitting from section five the words "twelve months" and by inserting in lieu thereof the words "six years";

Sec. 5. (Only one action shall lie and to be commenced within twelve months.)

10 (b) by omitting subsection two of section 6c and by inserting in lieu thereof the following subsection:—

Sec. 6c. (Survival of action.)

15 (2) If the wrongdoer dies before action, no proceedings shall be maintainable in respect of the cause of action which by virtue of this section has survived unless the cause of action arose not earlier than twelve months before the death of the wrongdoer and proceedings are taken in respect thereof not later than twelve months after the executor or administrator of the wrongdoer took out representation:

cf. Act No. 28, 1944, s. 2 (3).

20 Provided that the fact that the cause of action arose earlier than twelve months before the death of the wrongdoer shall not, of itself, be a bar to the maintenance of such proceedings where the court in which the proceedings are taken is satisfied that sufficient cause has been shown or that, having regard to all the circumstances of the case, it would be reasonable to allow such proceedings to continue; but nothing in this proviso affects the operation of section 30 five of this Act.

COMPENSATION TO RELATIVES (AMENDMENT) BILL, 1953.

EXPLANATORY NOTE.

THE object of this Bill is to enlarge the period within which actions may be brought under the Compensation to Relatives Act, 1897-1946.

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EXHIBITION OF THE
COMMISSION TO REGULATE (UNEMPLOYMENT) BILL 1923

No. , 1953.

A BILL

To enlarge the period within which actions may be brought under the Compensation to Relatives Act, 1897-1946; for this purpose to amend that Act; and for purposes connected therewith.

[MR. SHEAHAN;—2 December, 1953.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Compensation to Relatives (Amendment) Act, 1953." Short title and citation.

Compensation to Relatives (Amendment).

(2) The Compensation to Relatives Act of 1897, as amended by subsequent Acts and by this Act, may be cited as the Compensation to Relatives Act, 1897-1953.

2. The Compensation to Relatives Act of 1897, as amended by subsequent Acts, is amended—

(a) by omitting from section five the words "twelve months" and by inserting in lieu thereof the words "six years";

Amendment of Act No. 31, 1897.
Sec. 5.
(Only one action shall lie and to be commenced within twelve months.)

10 (b) by omitting subsection two of section 6c and by inserting in lieu thereof the following subsection:—

Sec. 6c.
(Survival of action.)

(2) If the wrongdoer dies before action, no proceedings shall be maintainable in respect of

cf. Act No. 28, 1944, s. 2 (3).

15 the cause of action which by virtue of this section has survived unless the cause of action arose not earlier than twelve months before the death of the wrongdoer and proceedings are taken in respect thereof not later than twelve months after the executor or administrator of the wrongdoer took out representation:

25 Provided that the fact that the cause of action arose earlier than twelve months before the death of the wrongdoer shall not, of itself, be a bar to the maintenance of such proceedings where the court in which the proceedings are taken is satisfied that sufficient cause has been shown or that, having regard to all the circumstances of the case, it would be reasonable to allow such proceedings to continue; but nothing

30 in this proviso affects the operation of section five of this Act.