

**LIMITATION (FRUSTRATED CONTRACTS)
AMENDMENT BILL, 1978**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Frustrated Contracts Bill, 1978.

The object of this Bill is to fix a limitation period of 6 years for the bringing of an action under the Frustrated Contracts Act, 1978, for the recovery of money or for the adjustment by the court of rights and liabilities following frustration of a contract.

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This Bill is cognate with the Frustrated Contract Bill, 1978.

The object of this Bill is to fix a limitation period of 6 years for the bringing of an action under the Frustrated Contract Act, 1978, for the recovery of money or for the subject-matter of a contract, following frustration of a contract.

No. , 1978.

**LIMITATION (FRUSTRATED CONTRACTS)
AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

**An Act to amend the Limitation Act, 1969, to declare the
limitation period applicable to a cause of action arising under
Part III of the Frustrated Contracts Act, 1978.**

[Mr F. J. WALKER—21 November, 1978.]

Limitation (Frustrated Contracts) Amendment.

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 :—

5 **1.** This Act may be cited as the "Limitation (Frustrated Short title. Contracts) Amendment Act, 1978".

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Frustrated Contracts Act, 1978.

3. The Limitation Act, 1969, is amended by inserting after section 14 the following section :— Amendment
of Act No.
31, 1969.
Sec. 14A.

15 **14A.** An action on a cause of action arising under Part III of the Frustrated Contracts Act, 1978, by virtue of the frustration of a contract or avoidance of an agreement under section 12 of the Sale of Goods Act, 1923, is not maintainable if brought after the expiration of a limitation period of 6 years running from the date of the frustration or avoidance. Frustrated
contract.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

**LIMITATION (FRUSTRATED CONTRACTS)
AMENDMENT ACT, 1978, No. 106**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 106, 1978.

An Act to amend the Limitation Act, 1969, to declare the limitation period applicable to a cause of action arising under Part III of the Frustrated Contracts Act, 1978. [Assented to, 20th December, 1978.]

Limitation (Frustrated Contracts) Amendment.

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 :—

Short title. **1.** This Act may be cited as the "Limitation (Frustrated Contracts) Amendment Act, 1978".

Commence- **2.** (1) This section and section 1 shall commence on the date
ment. of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Frustrated Contracts Act, 1978.

Amendment **3.** The Limitation Act, 1969, is amended by inserting after
of Act No. section 14 the following section :—
31, 1969.
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Frustrated
contract.

14A. An action on a cause of action arising under Part III of the Frustrated Contracts Act, 1978, by virtue of the frustration of a contract or avoidance of an agreement under section 12 of the Sale of Goods Act, 1923, is not maintainable if brought after the expiration of a limitation period of 6 years running from the date of the frustration or avoidance.

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

A. R. CUTLER,
Governor.

Government House,
Sydney, 20th December, 1978.