

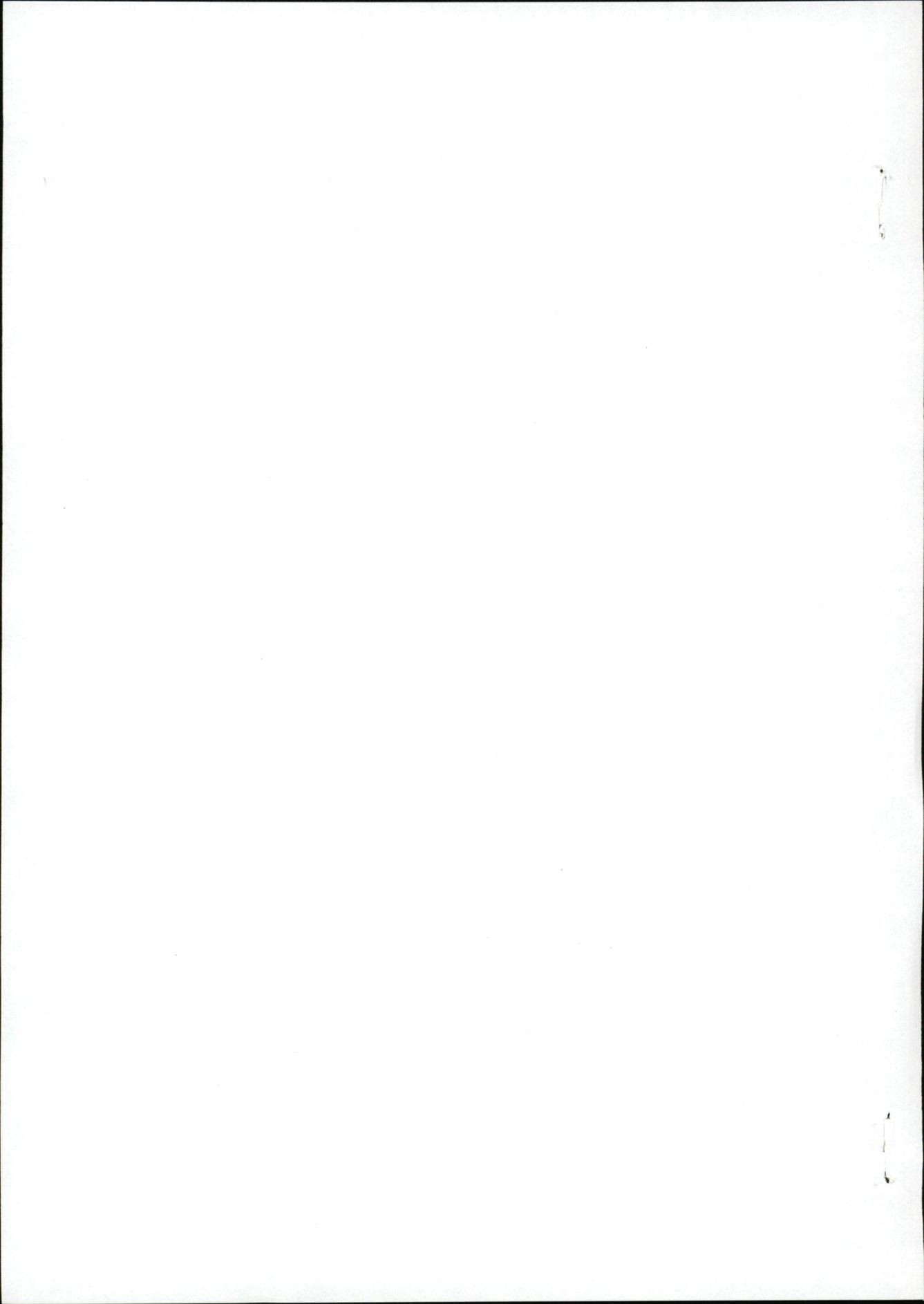
# LIMITATION (AMENDMENT) ACT 1993 No. 95

NEW SOUTH WALES



## TABLE OF PROVISIONS

1. Short title
  2. Commencement
  3. Amendment of Limitation Act 1969 No. 31
-



**LIMITATION (AMENDMENT) ACT 1993 No. 95**

**NEW SOUTH WALES**



**Act No. 95, 1993**

An Act to amend the Limitation Act 1969 in relation to the characterisation of laws setting limitation periods for the bringing of proceedings. [Assented to 30 November 1993]

*Limitation (Amendment) Act 1993 No. 95*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Limitation (Amendment) Act 1993.

**Commencement**

2. This Act commences on a day to be appointed by proclamation.

**Amendment of Limitation Act 1969 No. 31**

3. The Limitation Act 1969 is amended by inserting after section 77 the following section:

**Characterisation of limitation laws**

78. (1) In this section:

**“limitation law”** means a law (including but not limited to this Act) that provides for the limitation or exclusion of any liability or the barring of a right of action in respect of a claim by reference to the time when a proceeding on, or the arbitration of, the claim is commenced.

(2) A limitation law of the State is to be regarded as part of the substantive law of the State.

(3) This section extends to a cause of action that arose before the commencement of this section, but does not apply to proceedings instituted before the commencement of this section.

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[*Minister's second reading speech made in—  
Legislative Assembly on 17 November 1993  
Legislative Council on 19 November 1993*]

FIRST PRINT

**LIMITATION (AMENDMENT) BILL 1993**

NEW SOUTH WALES



**EXPLANATORY NOTE**

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

This Bill is cognate with the Choice of Law (Limitation Periods) Bill 1993.

The object of this Act is to amend the Limitation Act 1969 by inserting a provision that will characterise laws relating to limitation periods for actions as part of the substantive law of the State, so that, when the law of the State is applied in another jurisdiction as the law governing the proceedings, New South Wales limitation laws will also be applied.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day to be appointed by proclamation.

**Clause 3** makes the amendment described above.

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FIRST PRINT

**LIMITATION (AMENDMENT) BILL 1993**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
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-

1  
2

3

4



**LIMITATION (AMENDMENT) BILL 1993**

NEW SOUTH WALES



No. , 1993

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**A BILL FOR**

An Act to amend the Limitation Act 1969 in relation to the characterisation of laws setting limitation periods for the bringing of proceedings.

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*Limitation (Amendment) 1993*

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(2) A limitation law of the State is to be regarded as part of the substantive law of the State.

(3) This section extends to a cause of action that arose before the commencement of this section, but does not apply to proceedings instituted before the commencement of this section.

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