

**COMPENSATION TO RELATIVES (AMENDMENT)
ACT.**

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.]

Elizabeth II,
No. 33, 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) 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.)

(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 the cause of action which by virtue of this section has survived unless the cause of action arose

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

No. 33, 1953.

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.
