

**NOTICE OF ACTION AND OTHER PRIVILEGES
ABOLITION (AMENDMENT) ACT, 1978, No. 56**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 56, 1978.

An Act to amend the Notice of Action and Other Privileges Abolition Act, 1977, to remove provisions in the Motor Vehicles (Third Party Insurance) Act, 1942, relating to the giving of notice of action. [Assented to, 3rd April, 1978.]

Notice of Action and Other Privileges Abolition (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 :—

1. This Act may be cited as the "Notice of Action and Other Privileges Abolition (Amendment) Act, 1978".

2. This Act shall be deemed to have commenced on 19th August, 1977. Commencement.

3. The Notice of Action and Other Privileges Abolition Act, 1977, is amended— Amendment of Act No. 19, 1977.

(a) by omitting section 5 (4) (b);

Sec. 5.
(Amendment of other Acts.)

(b) (i) by inserting in Schedule 1 after the matter relating to Act No. 17, 1939, the following matter :—

1942, No. 15 ..	Motor Vehicles (Third Party Insurance) Act, 1942.	Section 15 (2) (b)— Omit the paragraph. Section 25 (1)— Omit "Subject to subsection (2), where", insert instead "Where". Section 25 (2)— Omit the subsection. Section 26 (1)— Omit "Subject to subsection (2), where", insert instead "Where". Section 26 (2)— Omit the subsection. Section 26 (3) (a)— Omit "such action", insert instead "action under this section for the recovery of any amount referred to in this section".
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Notice of Action and Other Privileges Abolition (Amendment).

1942, No. 15 ... <i>—continued.</i>	Motor Vehicles; (Third Party Insurance) Act, 1942. <i>—continued.</i>	Section 30 (1)— Omit the following:— Where the date of the occurrence out of which any such claim arises is not earlier than three months after the commencement of the Motor Traffic (Amendment) Act, 1951, no action to enforce such claim shall lie against the nominal defendant unless notice of intention to make a claim is given by the claimant to the nominal defendant— (a) in the case of an action for the recovery of any amount referred to in subsection (1) of section 26 of the Act—within the time prescribed by subsection (2) of that section; (b) in any other case—within a period of three months after the occurrence out of which the claim arose, or within such further period as the nominal defendant or the court, upon sufficient cause being shown, may allow. Section 30 (2) (b)— Omit the paragraph.
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- (ii) by inserting after the word “Contribution” in Column 1 of Schedule 1 in the matter relating to Act No. 22, 1970, the word “Management”.
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