

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

NEW SOUTH WALES



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**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]

**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]*