

NORTHERN TERRITORY OF AUSTRALIA

CHOICE OF LAW (LIMITATION PERIODS) ACT 1994

As in force at 7 November 1994

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 7 November 1994

CHOICE OF LAW (LIMITATION PERIODS) ACT 1994

An Act relating to limitation periods for choice of law purposes

1 Short title

This Act may be cited as the *Choice of Law (Limitation Periods) Act 1994*.

2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3 Application

This Act extends to a cause of action that arose before the commencement of this Act but does not apply to proceedings instituted before that commencement.

4 Definitions

In this Act, unless the contrary intention appears:

court includes an arbitrator.

limitation law means a law 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.

5 Characterisation of limitation laws

If the substantive law of another place being a State or another Territory of the Commonwealth or New Zealand, is to govern a claim before a court of the Territory, a limitation law of that place is to be regarded as part of that substantive law and applied accordingly by the court.

6 Exercise of discretion under limitation law

Where a court of the Territory exercises a discretion conferred under a limitation law of a place being a State or another Territory of the Commonwealth or New Zealand, that discretion, as far as practicable, is to be exercised in the manner in which it is exercised in comparable cases by the courts of that place.

ENDNOTES

1

KEY

Key to abbreviations

amd = amended

app = appendix

bl = by-law

ch = Chapter

cl = clause

div = Division

exp = expires/expired

f = forms

Gaz = *Gazette*

hdg = heading

ins = inserted

lt = long title

nc = not commenced

od = order

om = omitted

pt = Part

r = regulation/rule

rem = remainder

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

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LIST OF LEGISLATION

Choice of Law (Limitations Periods) Act 1994 (Act No. 45, 1994)

Assent date 20 September 1994

Commenced 7 November 1994 (*Gaz* G44, 2 November 1994, p 5)