NORTHERN TERRITORY OF AUSTRALIA

LIMITATION ACT 1981

As in force at 11 August 2025

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 11 August 2025

LIMITATION ACT 1981

An Act to amend and consolidate the law relating to the limitation of actions and for purposes connected therewith

Part I Preliminary

1 Short title

This Act may be cited as the *Limitation Act 1981*.

2 Commencement

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

3 Repeal and amendment

(1) The Imperial Acts listed in Part I of the Schedule, to the extent therein indicated, cease to apply to the Northern Territory.

(2) The Acts of the State of South Australia listed in Part II of the Schedule cease to apply as laws of the Territory.

(3) Each Act of the State of South Australia listed in Part III of the Schedule is, to the extent therein indicated, amended in its application to the Territory.

(4) Each Act of the Territory listed in Part IV of the Schedule is, to the extent therein indicated, amended.

(5) Subject to section 9, whether or not an enactment or part of an enactment applying in the Territory (whether an Imperial Act or an Act of the State of South Australia) is repealed by virtue of this section, this Act shall:

(a) apply in respect of all those actions to which it is expressed to apply including the giving of notice of a proposal to institute an action, as a codification of the law relating to the limitation of actions; and

(b) operate to the exclusion of all Imperial Acts and Acts of South Australia applying in the Territory which contain provisions relating to the limitation of actions, including provisions relating to the giving of notice of a proposal to institute an action.

(6) The Regulations may amend the Schedule by:

(a) adding to the list of Imperial Acts in Part I thereof and indicating the extent to which the Acts so added cease to apply to the Territory;

(b) varying Part I thereof by further limiting the extent to which the Imperial Acts listed therein apply to the Territory;

(c) adding to the list of Acts of the State of South Australia in Part II thereof;

(d) adding to the list of Acts of the State of South Australia in Part III thereof and indicating the extent to which the Acts so added are amended in their application to the Territory; and

(e) varying Part III thereof by further limiting the extent to which the Acts of the State of South Australia listed therein apply as laws of the Territory.

4 Interpretation

(1) In this Act, unless the contrary intention appears:

action includes any proceeding in a court of competent jurisdiction.

Crown includes not only the Crown in the right of the Territory, but also, so far as the legislative power of the Legislative Assembly permits, the Crown in the right of the Commonwealth and each State and Territory of the Commonwealth.

deed includes:

(a) an instrument which is executed under seal by all parties to the instrument and which is expressed to be a deed;

(b) an instrument within the meaning of the *Land Title Act 2000*, whether or not registered under that Act;

(c) an instrument which is expressed to be a deed and to be sealed but is not so sealed, and which is signed by each party in the presence of a witness; and

(d) in the case of an instrument executed pursuant to the law of:

(i) the United Kingdom of Great Britain and Northern Ireland;

(ii) the Commonwealth;

(iii) a State of the Commonwealth;

(iv) a Territory of the Commonwealth; or

(v) New Zealand,

an instrument having the effect of a deed under the law pursuant to which it is executed.

disabled person means a person who, by reason of age, disease, illness or mental or physical infirmity, is incapable of managing his affairs in respect of legal proceedings.

income includes interest on a judgment and other interest, rent, annuities and dividends, but does not include arrears of interest secured by a mortgage and lawfully treated as principal.

judgment includes a judgment of a court of the Commonwealth or a State or another Territory of the Commonwealth, or any country or part of a country.

land includes corporeal hereditaments, rent charges and a legal or equitable estate or interest in land whether held under freehold or leasehold tenure, including an interest in the proceeds of the sale of land held upon trust for sale but, except as provided in this definition, does not include incorporeal hereditaments.

mortgage includes a charge or lien on property for securing money or money's worth, but does not include a possessory lien on goods nor a binding effect on property arising by operation of law or under a writ of execution against the property.

mortgagee includes a person claiming through an original mortgagee.

mortgagor includes a person claiming property subject to a mortgage through an original mortgagor.

person under a disability means an infant or a disabled person, or a convicted person who, after conviction, is undergoing a sentence of imprisonment.

personal estate and ***personal property*** do not include chattels real.

personal injuries includes a disease and an impairment of a person's physical or mental condition.

personal representative means an executor to whom probate has been granted and includes an administrator to whom a grant of letters of administration has been made under the *Administration and Probate Act 1969*.

plaintiff means a person bringing an action.

principal money, in relation to a mortgage, means money secured by the mortgage, including arrears of interest lawfully treated as principal, but does not include other interest.

putative defendant means a person who has reason to believe that another person:

(a) is a person under a disability; and

(b) would, but for that disability, be entitled to bring an action against him.

rent includes a rent charge and a rent service.

rent charge means an annuity or periodical sum of money charged upon or payable out of land, other than a rent service or interest on a mortgage of land.

successor, in relation to a person liable on a cause of action, means a person on whom the liability of the first-mentioned person devolves, whether as personal representative or otherwise on death or on bankruptcy, disposition of property or determination of a limited estate or interest or otherwise.

trust includes express, implied and constructive trusts, whether or not the trustee has a beneficial interest in the trust property, and whether or not the trust arises only by reason of a transaction impeached, and includes the duties incident to the office of personal representative but does not include the duties incident to the estate or interest of a mortgagee in mortgaged property.

trust for sale means, in relation to land, an immediate binding trust for sale whether or not exercisable at the request or with the consent of any person and with or without a power at discretion to postpone the sale.

tutor means, in relation to a person under a disability, another person appointed by a court to institute or defend legal proceedings on his behalf.

(2) A person shall be taken to claim through another person if he became entitled by, through or under the act of that other person to the right claimed but a person becoming entitled to an estate or interest by virtue of a special power of appointment shall not be taken to claim through the appointor.

5 Saving for other enactments where limitation prescribed

This Act does not apply to any action for which a period of limitation is prescribed by any other enactment other than an enactment referred to in section 3.

5A No limitation period for child abuse actions

(1) This section applies in relation to an action for damages for personal injury to a person arising from child abuse of the person.

(2) Despite any other provision of this Act, an action mentioned in subsection (1) may be brought at any time and is not subject to any limitation period under this Act.

(3) This section applies whether the claim for damages is brought in tort, in contract, under statute or otherwise.

(4) This section extends to the following causes of action:

(a) a cause of action that arises under the *Compensation (Fatal Injuries) Act 1974*;

(b) a cause of action that survives on the death of a person for the benefit of the person's estate under the *Law Reform (Miscellaneous Provisions) Act 1956*.

(5) This section does not limit:

(a) any inherent jurisdiction, implied jurisdiction or statutory jurisdiction of a court; or

(b) any other powers of a court arising or derived from the common law or under any other Act (including any Commonwealth Act), rule of court, practice note or practice direction.

Note for subsection (5)

For example, this section does not limit a court's power to summarily dismiss or permanently stay proceedings where the lapse of time has a burdensome effect on the defendant that is so serious that a fair trial is not possible.

(6) In this section:

child abuse means any of the following perpetrated against a person when the person is (or was) under 18 years of age:

(a) sexual abuse;

(b) serious physical abuse;

(c) psychological abuse that arises from abuse mentioned in paragraph (a) or (b).

6 Application to Crown

(1) Subject to subsections (3) and (4), this Act binds the Crown and the Crown has the benefit of this Act.

(2) For the purposes of this Act, an action by or against the Crown includes an action by or against an officer of the Crown as such or a person acting on behalf of the Crown.

(3) This Act does not apply to:

(a) an action by the Crown:

(i) for the recovery of a fee, tax, duty or other sum of money or interest on a fee, tax, duty or other sum of money; or

(ii) in respect of the forfeiture of a ship; or

(b) a prosecution for an offence whether it be an offence at common law or created by statute.

(4) Notwithstanding any law or enactment now or formerly in force in the Territory, the right, title or interest of the Crown to or in land shall not be and shall be deemed not to have been in any way affected by reason of the possession of such land adverse to the Crown for any period.

7 Act not to affect rules of equity

Nothing in this Act affects the rules of equity concerning the refusal of relief on the grounds of acquiescence or otherwise.

8 Provisions as to set-off or counter-claim

For the purposes of this Act, a claim by way of set-off or counter-claim shall be deemed to be a separate action and to have commenced on the same date as the action in which the set-off or counter-claim is pleaded.

9 Transitional provisions

(1) Except as provided in sections 5A and 24 and in Division 2 of Part III, nothing in this Act:

(a) enables a person to bring an action that was barred before the commencement of this Act by an enactment repealed or amended by this Act, except so far as the cause or right of action may be revived by confirmation in accordance with this Act; or

(b) affects an action or arbitration commenced before the commencement of this Act or the title to property that is the subject of that action.

(2) The time for bringing proceedings in respect of a cause of action that arose before the commencement of this Act shall, if it has not then expired, expire at the time it would have expired:

(a) had this Act not come into operation; or

(b) had this Act at all material times been in operation,

whichever is the later.

(3) Except as provided in this section, nothing in this Act affects an action if the cause of action upon which that action is founded arose before the commencement of this Act.

Part II Periods of limitation

Division 1 Preliminary

10 Application of Part III

Except as provided in section 20(6) or section 35D, the provisions of this Part have effect subject to the provisions of Part III.

11 Shortest period of limitation to apply

Where, under each of 2 or more provisions of this Part, an action is not maintainable if brought after a specified time, the action is not maintainable if brought after the earlier or earliest of those times.

Division 2 General

12 Actions in contract, tort etc.

(1) Subject to subsection (2), the following actions are not maintainable after the expiration of a limitation period of 3 years from the date on which the cause of action first accrues to the plaintiff or to a person through whom he claims:

(a) an action founded on contract (including quasi-contract) not being a cause of action which is evidenced by a deed;

(b) an action founded on tort including a cause of action founded on a breach of statutory duty;

(c) an action to enforce a recognisance; and

(d) an action to recover money recoverable by virtue of an enactment, other than a penalty or forfeiture or sum by way of penalty or forfeiture.

(2) However:

(a) no limitation period applies to an action for damages for personal injury arising from a dust disease; and

(b) an action for defamation is not maintainable unless commenced within a limitation period of one year from the date of publication of the defamatory matter; and

(c) subsection (1) does not apply to an action to which section 17 applies (i.e. an action under section 7 or 13 of the *Compensation (Fatal Injuries) Act 1974*); and

(d) subsection (1) does not apply to an action for contribution to which section 24 applies.

(3) In this section:

dust disease means a pathological condition of the lungs, pleura or peritoneum that is attributable to dust.

enactment includes legislation of the Commonwealth, a State or Territory, or of any foreign country or state.

13 Action for account

An action against a person liable at law to account for money received by that person is not maintainable in respect of any matter if brought after the expiration of a limitation period of 3 years from the date on which the matter arises.

14 Action upon deed

(1) An action founded upon a deed is not maintainable if brought after the expiration of a limitation period of 12 years from the date on which the cause of action first accrued to the plaintiff or to a person through whom he claims.

(2) Where a right of action is founded on an instrument which, if registered under the *Land Title Act 2000* would, by virtue of section 179 of that Act, take effect as a deed and:

(a) before the registration of the instrument, a limitation period fixed by or under this Act expires; and

(b) the instrument is subsequently registered before the expiration of 12 years after the date when the right of action first arose,

the expiry of the limitation period has no effect and an action which is founded on the instrument may be brought at any time after the date of registration and before the expiry of a period of 12 years from the date when the right of action founded on the instrument first arose.

15 Enforcement of judgment

(1) An action to recover moneys due under a judgment of a court is not maintainable after the expiration of a limitation period of 12 years from the date on which the judgment first becomes enforceable.

(2) For the purposes of this section, a judgment of a court of a place outside the Territory (not being a judgment of a court of the Commonwealth) first becomes enforceable in the Territory on the date on which the judgment first becomes enforceable in the place where the judgment is given.

16 Recovery of penalty or forfeiture

(1) An action to recover a penalty or forfeiture or a sum by way of a penalty or forfeiture recoverable by virtue of an enactment is not maintainable after the expiration of a limitation period of 2 years from the date on which the penalty, forfeiture or sum of money by way of a penalty or forfeiture first became recoverable.

(2) In this section ***penalty*** does not include a fine to which a person is liable on being found guilty of an offence.

17 Actions under *Compensation (Fatal Injuries) Act 1974*

An action arising under section 7 or 13 of the *Compensation (Fatal Injuries) Act 1974* is not maintainable after the expiration of a limitation period of 3 years from the date of the death.

18 Enforcement of award of arbitrator

(1) In this section ***arbitration agreement*** means an agreement containing a clause requiring the submission of present or future differences between the parties to arbitration, whether or not:

(a) an arbitrator is named in the agreement; or

(b) the differences arise under the same or a collateral agreement between the parties,

and includes an Act or an instrument of a legislative or administrative character where the Act or instrument provides for the submission of differences between parties to arbitration.

(2) In the case of an arbitration agreement constituted by an Act or an instrument of a legislative or administrative character, and subject to the provisions of that Act or instrument, an action to enforce the award of an arbitrator made under an arbitration agreement is not maintainable after the expiration of a limitation period:

(a) where the award is made under an arbitration agreement made by deed – of 12 years; and

(b) in any other case – of 3 years,

from the date upon which the right to enforce the award first accrued to the plaintiff or a person through whom he claims.

(3) For the purposes of this section, the right to enforce an award accrues on the date on which default first happens in observance of the award, being the default in respect of which the action is brought.

19 Successive conversions

(1) If:

(a) a person has a right to bring an action in relation to the conversion or wrongful detention of goods; and

(b) afterwards, possession of the goods not having been recovered by the person or by another person claiming through the person, a further right to bring an action for the conversion or wrongful detention of the goods or to recover the proceeds of sale of the goods accrues to the person or to another person claiming through the person,

an action brought upon the further right is not maintainable after the expiration of a limitation period of 3 years from the date when the first right to bring an action accrued to the plaintiff or to another person through whom the plaintiff claims.

(2) If a cause of action to which subsection (1) applies has accrued to any person and the period prescribed for bringing that action or any action in respect of which a further conversion or wrongful detention referred to in subsection (1) has expired and the person has not, during that period, recovered possession of the chattel, the title of that person to the chattel is extinguished as against a purchaser, mortgagee or other person having a title to or an interest in the chattel bona fide for value.

(3) If, before the expiration of the period of limitation prescribed by this Act for an action in respect of the further conversion or wrongful detention of a chattel, such an action is brought, the expiration of the period of limitation does not affect the right or title of the plaintiff to the chattel:

(a) for the purposes of the action; or

(b) so far as the right or title is established.

20 Admiralty actions

(1) In this section:

(a) ***freight*** includes passage money and hire;

(b) ***vessel*** means a vessel used in navigation other than air navigation, and includes a barge, lighter or similar vessel; and

(c) reference to salvage or loss caused by the fault of a vessel extends to salvage or other expenses, consequent upon that fault, recoverable as damages.

(2) Section 12(1)(a) extends to a right to bring an action to recover a seaman's wages but otherwise sections 12 to 20 inclusive do not apply to a cause of action in rem in Admiralty.

(3) An action to enforce a claim or lien against a vessel or her owners in respect of damage or loss to another vessel, that other vessel's

cargo or freight or any property on board her, or damage for loss of life or personal injuries suffered by a person on board that other vessel or caused by the fault of the first-mentioned vessel whether that vessel was partly or wholly at fault, is not maintainable after the expiration of a limitation period of 2 years from the date when the damage, loss or injury was caused.

(4) An action to enforce a claim or lien in respect of salvage services shall not be brought after the expiration of a limitation period of 2 years from the date when the salvage services were rendered.

(5) For the purposes of an action in a court, the court:

(a) may extend the limitation period referred to in subsection (3) or (4) to such an extent and on such terms as it thinks fit; and

(b) shall, if satisfied that there has not, during the limitation period, been a reasonable opportunity of arresting the defendant vessel within the jurisdiction of the court or within the territorial waters of the country to which the plaintiff's vessel belongs or in which the plaintiff resides or has his principal place of business, extend the limitation period to an extent sufficient to give a reasonable opportunity of so arresting the defendant vessel.

(6) The provisions of Part III do not apply to a cause of action to which subsection (3) or (4) applies.

21 Equitable relief

Sections 12, 14, 15, 16, 18 and 19 do not apply, except so far as they may be applied by analogy, to a cause of action for specific performance of a contract or for an injunction or for other equitable relief.

22 Arrears of income

(1) Subject to subsections (2) and (3), an action to recover arrears of income is not maintainable after the expiration of a limitation period of 3 years from the date on which the cause of action first accrued to the plaintiff or to a person through whom he claims.

(2) An action to recover arrears of interest on principal money shall not be brought after the expiration of the limitation period fixed by or under this Act for an action between the same parties to recover the principal money.

(3) Subsections (1) and (2) do not apply to an action to which section 28 applies.

(4) The provisions of this section apply to an action to recover arrears of income from any person whether as principal, surety or otherwise.

23 Terms of relief not to revive barred rights

In an action in which a party seeks relief against forfeiture of a lease, the party seeking the relief is not to be required, as a term of relief against forfeiture, to pay rent for the recovery of which, by reason of the expiration of a limitation period fixed by or under this Act, an action would not be maintainable if brought on the date on which the first-mentioned action was brought.

24 Contributions between tortfeasors

(1) An action to recover contribution under section 12 of the *Law Reform (Miscellaneous Provisions) Act 1956* is not maintainable if brought after the first to expire of:

(a) a limitation period of 2 years from the date on which the right of action to recover contribution first accrued to the plaintiff or to a person through whom he claims; or

(b) a limitation period of 4 years from the date of the expiration of the limitation period for the principal action.

(2) For the purposes of subsection (1)(a), the date on which a right of action to recover contribution first accrues is:

(a) if the plaintiff in the action to recover contribution or a person through whom he claims is liable in respect of the damage for which contribution is claimed by judgment in a civil action or by arbitral award – the date on which the judgment is given or the award made, whether or not in the case of a judgment the judgment is afterwards varied as to quantum or damages; or

(b) if, in a case to which paragraph (a) does not apply, the plaintiff in the action to recover contribution or a person through whom he claims makes an agreement with a person having a cause of action for the damage for which the cause of action to recover contribution arises, which agreement fixes, as between the parties to the agreement, the amount of the liability in respect of that damage of the plaintiff in the action for contribution or a person through whom he claims – the date on which the agreement is made.

(3) In subsection (1)(b), the expression ***the limitation period for the principal action*** means the limitation period prescribed by this Act or by any other enactment (including an Act or an enactment repealed or omitted by this Act) for the action for the liability in

respect of which contribution is sought.

(4) Nothing in this section affects the construction of section 12 of the *Law Reform (Miscellaneous Provisions) Act 1956*.

Division 3 Mortgages

25 Mortgage under *Land Title Act 2000*

This Act applies to an action founded on a mortgage registered under the *Land Title Act 2000* to recover from any person any debt, damages or other money payable under the mortgage, but otherwise this Act does not affect the right, title or remedies under a mortgage so registered of a registered proprietor under that Act of the mortgage or of the mortgaged land.

26 Redemption

An action to redeem mortgaged property in the possession of a mortgagee is not maintainable against that mortgagee if brought after the expiration of a limitation period of 12 years from the date on which that mortgagee or a person through whom he claims last:

(a) went into possession of the property; or

(b) received a payment of principal money or interest secured by the mortgage from the plaintiff or from a person through whom he claims,

or, when both things happen, the later of those dates.

27 Actions by mortgagee

(1) An action:

(a) to recover principal money secured by a mortgage;

(b) to recover possession of mortgaged property from a mortgagor; or

(c) to foreclose the equity of redemption of mortgaged property,

is not maintainable by a mortgagee after the expiration of a limitation period of 12 years from the date on which the mortgagee first became entitled to recover the money, to take possession of the property or to foreclose the equity of redemption.

(2) Subsection (1)(a) applies to a cause of action:

(a) to recover principal money from a person, whether as principal, surety or otherwise; or

(b) to recover principal money by way of:

(i) the appointment of a receiver of mortgaged property or of the income or profits of mortgaged property;

(ii) the sale, lease or other disposition or realisation of mortgaged property; or

(iii) any other remedy affecting mortgaged property.

28 Action for interest

(1) An action to recover interest secured by a mortgage is not maintainable by a mortgagee under the mortgage if brought after the expiration of:

(a) a limitation period of 3 years from:

(i) the date on which the cause of action first accrued to the plaintiff or to a person through whom he claims; or

(ii) where a mortgagee under a prior mortgage was, on the date referred to in subparagraph (i), in possession of all or any of the property comprised in the mortgage securing the interest, and after that date discontinued his possession – the date of discontinuance,

or, if both cases apply, the later of those dates; or

(b) the limitation period fixed by or under this Act for an action between the same parties on a cause of action to recover the principal money bearing the interest,

whichever limitation period first expires.

(2) For the purposes of subsection (1), a cause of action to recover interest secured by a mortgage includes a cause of action to recover the interest:

(a) from a person, whether as principal, surety or otherwise; and

(b) by way of:

(i) the appointment of a receiver of mortgaged property or of income or profits of mortgaged property;

(ii) sale, lease or other disposition or realisation of the mortgaged property; or

(iii) any other remedy affecting mortgaged property.

29 Mortgagor not to account for irrecoverable interest

(1) In an action for redemption or otherwise in relation to a mortgage of property, including an action in respect of the proceeds of sale or other disposition or realisation of property subject to a mortgage:

(a) a mortgagor is not, as against a mortgagee, to be required to pay or account for interest which could not, by reason of the limitation period fixed by or under this Act, be recovered in an action by that mortgagee against that mortgagor brought on the date on which the first-mentioned action was brought; and

(b) in adjusting the rights of a mortgagor and a mortgagee, the mortgagee is not to be entitled to the interest referred to in paragraph (a).

(2) Where:

(a) interest becomes due under a mortgage; and

(b) a mortgagee:

(i) holds money on the date on which the interest becomes due; or

(ii) after that date but before the expiration of the limitation period fixed by or under this Act for an action on a cause of action to recover that interest by that mortgagee against a mortgagor, receives money; and

(c) before or after the bringing of an action to which subsection (1) applies, that mortgagee or a person claiming through him properly applies that money in or towards satisfaction of that interest, subsection (1) does not, as against the person so applying that money or a person claiming through him, apply to that interest to the extent to which it is so satisfied.

30 Other remedies barred

A mortgagee must not, after the date on which an action to recover principal money secured by a mortgage within the meaning of section 27 by the mortgagee against any person is barred by this Act, exercise, as against that person or another person claiming through that person, a power:

(a) of sale, lease or other disposition or realisation of the mortgaged property;

(b) to appoint a receiver; or

(c) otherwise affecting the mortgaged property.

Division 4 Trusts

32 Fraud on trust property

(1) An action:

(a) in respect of fraud or a fraudulent breach of trust against a person who is, while a trustee, a party or privy to the fraud or the breach of trust, or against his successor;

(b) for a remedy for conversion to a person's own use of trust property received by him as a trustee;

(c) to recover trust property, or property into which trust property can be traced, against a trustee or against any other person; or

(d) to recover money on account of a wrongful distribution of trust property against the person to whom the property is distributed or against his successor,

is not maintainable by a trustee of the trust or a beneficiary under the trust after the expiration of:

(e) a limitation period of 12 years from the date upon which the person entitled to bring the action first discovered or may with reasonable diligence have discovered the facts giving rise to the right to relief; or

(f) such other limitation period for that action fixed by or under a provision of this Act other than this section,

whichever is the only or later to expire.

(2) Except in the case of fraud or a fraudulent breach of trust, and except so far as concerns income converted by a trustee to his own use or income retained and still held by the trustee or his successor at the time when the action is brought, this section does not apply to an action to recover arrears of income.

33 Action for breach of trust

An action in respect of a breach of trust is not maintainable after the expiration of:

(a) a limitation period of 3 years from the date when the person entitled to bring the action first became so entitled; or

(b) the limitation period for the bringing of the action fixed by or under any other provision of this Act,

whichever is the only or later to expire.

34 Provision for future estates

For the purposes of this Division, a cause of action of a beneficiary in respect of a future estate or interest accrues on the date on which the estate or interest becomes a present estate or interest or on the date on which the cause of action would, but for this section, accrue, whichever is the later.

35 Beneficiaries other than plaintiff

Where a beneficiary under a trust brings an action in respect of the trust, another beneficiary under the trust is not entitled to derive from the action a benefit for which, by reason of this Act, an action by him is not maintainable if brought on the date on which the first-mentioned action was brought.

Division 5 Mistake

35A Application

This Division applies notwithstanding any other law to the contrary, whether made or in force before or after the commencement of the *Limitation Amendment Act 1993*.

35B Definition

In this Division, ***mistake of law*** includes a mistake as to the validity of a law.

35C Action for recovery of certain money paid under mistake before *Limitation Amendment Act 1993*

(1) Where, before the commencement of the *Limitation Amendment Act 1993*, money was paid, either voluntarily or under compulsion, by way of a tax, fee, charge or other statutory impost (or a purported such tax, fee, charge or other impost), an action for the recovery of the money is not maintainable on the grounds that the money was paid under a mistake of law or fact, or on restitutionary grounds, if brought after:

(a) the expiration of the limitation period which would have applied if the *Limitation Amendment Act 1993* had not been enacted; or

(b) the expiration of a limitation period of 6 months from the commencement of the *Limitation Amendment Act 1993*,

whichever is the earlier.

(2) Subsection (1) does not apply to an action for the recovery of an amount that would have been, if the tax, fee, charge or other statutory impost (or a purported such tax, fee, charge or other impost) in respect of which the amount was paid had been valid, recoverable as an overpayment.

35D Action for recovery of certain money paid under mistake after *Limitation Amendment Act 1993*

(1) Where, after the commencement of the *Limitation Amendment Act 1993*, money is paid, either voluntarily or under compulsion, by way of a tax, fee, charge or other statutory impost (or a purported such tax, fee, charge or other impost), an action for the recovery of the money is not maintainable on the grounds that the money was paid under a mistake of law or fact, or on restitutionary grounds, if brought after the expiration of a limitation period of 6 months from the date on which the money was paid.

(2) Subsection (1) does not apply to an action for the recovery of an amount that would have been, if the tax, fee, charge or other statutory impost (or a purported such tax, fee, charge or other impost) in respect of which the amount was paid had been valid, recoverable as an overpayment.

(3) Subsection (1) is part of the substantive law of the Territory.

(4) Where an action is not brought within the limitation period specified in subsection (1), the right to recover the money is extinguished.

(5) The provisions of Part III do not apply to a cause of action to which this section applies.

35E Limitation period not to be extended

Notwithstanding section 36 or 44, the limitation period prescribed by section 35D is not, and cannot be, extended.

Part III Postponement of the bar

Division 1 Disability, confirmation, fraud and mistake

36 Time not to run where person under disability

(1) Subject to this Division, where:

(a) a person has a cause of action;

(b) the limitation period fixed by this Act for the cause of action has commenced to run; and

(c) the person is under a disability,

in that case:

(d) the running of the limitation period is suspended for the duration of the disability; and

(e) if, but for this paragraph, the limitation period would expire before the lapse of 3 years after:

(i) the date on which he has, before the expiration of the limitation period, ceased to be under a disability; or

(ii) the date of his death,

whichever is the earlier, the limitation period is extended so as to expire 3 years after the earlier of those dates.

(2) This section applies whenever a person is under a disability, whether or not he is under the same or another disability at any time during the limitation period.

(3) This section does not apply to a cause of action to recover a penalty or forfeiture or sum by way of penalty or forfeiture, except where the person having the cause of action is an aggrieved party.

(4) This section does not operate so as to extend a limitation period to more than 30 years from the date when the cause of action arose.

37 Appointment of tutor

A putative defendant may apply to the Supreme Court for a declaration that the person to whom the cause of action has accrued is a disabled person and request the court to appoint a tutor to conduct legal proceedings arising from the affairs of that person, and the court may issue such declaration and appoint such tutor accordingly.

38 Notice to proceed

(1) Where the Supreme Court has appointed a tutor in accordance with section 37, or where a guardian with power to conduct legal proceedings has been appointed under the *Guardianship of Adults Act 2016*, a putative defendant may serve on the tutor or guardian in accordance with this section a notice to proceed.

(2) Where a notice to proceed is served under subsection (1), section 36(1) applies as though the person ceased, on the date of the service of the notice, to be under a disability and does not thereafter come under that disability.

39 Infants

(1) A putative defendant may serve on a parent or guardian of an infant a notice requiring the parent or guardian to bring, as guardian ad litem, within 6 months after the date of the service of the notice, an action against the putative defendant based upon the incidents identified in the notice.

(2) If a parent or guardian on whom a notice under subsection (1) has been served fails to comply with the notice within the time specified in the notice or, if the putative defendant is unable after reasonable inquiry to trace a parent or guardian of the infant, the putative defendant may apply to the Supreme Court for an order appointing the Public Trustee to be the tutor of the infant for the purpose of bringing against the putative defendant an action arising out of the incidents stated in the notice, and the court may make an order accordingly.

(3) Subject to section 44, where an order is made under subsection (2), an action upon the incidents set out in the notice shall not be brought against the putative defendant after the expiration of:

(a) a limitation period of 3 years from the date of the order; or

(b) the limitation period otherwise fixed by or under this Act for the bringing of the action,

whichever is the later.

40 Form of notice

(1) A notice given under section 38 or 39:

(a) shall be in writing;

(b) shall identify generally the incidents (including the name of the person under a disability) upon which the supposed cause of action is based;

(c) shall give warning that a cause of action arising out of the incidents referred to in the notice is liable to be barred by this Act;

(d) is not an admission for any purpose by the putative defendant; and

(e) is not a confirmation for the purposes of section 41.

(2) A notice under section 38 or 39 shall be served in accordance with the Rules of the Supreme Court relating to the service of originating process.

41 Confirmation

(1) Where, after a limitation period fixed by or under this Act for a cause of action commences to run but before the expiration of the limitation period, a person against whom, either solely or with other persons, the cause of action lies confirms the cause of action, the time during which the limitation period runs before the date of the confirmation does not count in the reckoning of the limitation period in respect of an action by a person having the benefit of the confirmation against a person bound by the confirmation.

(2) For the purposes of this section:

(a) a person confirms a cause of action if, but only if:

(i) he makes in writing, and signs, an acknowledgment to a person having, either solely or with other persons, the cause of action, of the right or title of the person to whom the acknowledgment is made; or

(ii) he makes, to a person having, either solely or with other persons, the cause of action, a payment in respect of the right or title of the person to whom the payment is made;

(b) a confirmation of a cause of action to recover interest on principal money operates also as a confirmation of a cause of action to recover the principal money; and

(c) a confirmation of a cause of action to recover income falling due at any time operates also as a confirmation of a cause of action to recover income falling due at a later time on the same account.

(3) For the purposes of this section, where a person has, either solely or with other persons, a cause of action to foreclose the equity of redemption of mortgaged property or to recover possession of mortgaged property, a payment to him of principal or interest secured by the mortgage, or a payment to him otherwise in respect of the right or title to the mortgage, is a confirmation by the payer of the cause of action.

(4) A person may rely upon a confirmation:

(a) if the confirmation is made to him or to a person through whom he claims; and

(b) notwithstanding that the right of action to which the confirmation relates is enjoyed by him jointly with other persons.

(5) A person is bound by a confirmation if:

(a) he is the maker of the confirmation; or

(b) the right to bring the action in respect of which the confirmation was made subsequently becomes, by devolution or succession, a right to bring the action against him.

42 Rights of action based on fraud or deceit

(1) Subject to subsection (2), where:

(a) there is a cause of action based on fraud or deceit; or

(b) a cause of action or the identity of a person against whom a cause of action lies is fraudulently concealed,

the time which elapses after a limitation period fixed by or under this Act for the cause of action commences to run, and before the date on which a person having, either solely or with other persons, the cause of action first discovers, or may with reasonable diligence discover, the fraud, deceit or concealment, as the case may be, does not count in the reckoning of the limitation period for an action on the cause of action by him or by a person claiming through him against a person answerable for fraud, deceit or concealment.

(2) Subsection (1) has effect whether the limitation period for the cause of action would, but for that subsection, expire before or after the date referred to in that subsection.

(3) For the purposes of subsection (1), a person is answerable for fraud, deceit or concealment if, but only if:

(a) he is a party to the fraud, deceit or concealment; or

(b) he is, in relation to the cause of action, a successor of a party to the fraud, deceit or concealment under a devolution from the party occurring after the date on which the fraud, deceit or concealment first occurred.

(4) Where property is, after the first occurrence of fraud, deceit or concealment, purchased for valuable consideration by a person who is not a party to the fraud, deceit or concealment and does not, at the time of the purchase, know or have reason to believe that the fraud, deceit or concealment has occurred, subsection (1) does not apply to postpone the commencement of the limitation period fixed by or under this Act in respect of the right to bring an action against the purchaser or a person claiming through him.

43 Mistake

(1) Subject to subsection (3), where there is a cause of action for relief from the consequences of a mistake, the time which elapses after a limitation period fixed by or under this Act for the cause of action commences to run, and before the date on which a person having, either solely or with other persons, the cause of action first discovers, or may with reasonable diligence discover, the mistake does not count in the reckoning of the limitation period for an action by him or by a person claiming through him.

(2) Subsection (1) has effect whether the limitation period for the cause of action would, but for this section, expire before or after the date mentioned in that subsection.

(3) Where property is, after a transaction in which a mistake is made, purchased for valuable consideration by a person who does not, at the time of the purchase, know or have reason to believe that the mistake has been made, subsection (1) does not apply to a limitation period for a cause of action for relief from the consequences of the mistake against the purchaser or a person claiming through him.

Division 2 General extension of period of limitation

44 Extension of periods

(1) Subject to this section, where this or any other Act, or an instrument of a legislative or administrative character prescribes or limits the time for:

(a) instituting an action;

(b) doing an act, or taking a step in an action; or

(c) doing an act or taking a step with a view to instituting an action,

a court may extend the time so prescribed or limited to such an extent, and upon such terms, if any, as it thinks fit.

(2) A court may exercise the powers conferred by this section in respect of an action that it:

(a) has jurisdiction to entertain; or

(b) would, if the action were not out of time, have jurisdiction to entertain.

(3) This section does not:

(a) apply to criminal proceedings; or

(aa) apply to an action on a cause of action for defamation; or

(b) empower a court to extend a limitation period prescribed by this Act unless it is satisfied that:

(i) facts material to the plaintiff's case were not ascertained by him until some time within 12 months before the expiration of the limitation period or occurring after the expiration of that period, and that the action was instituted within 12 months after the ascertainment of those facts by the plaintiff; or

(ii) the plaintiff's failure to institute the action within the limitation period resulted from representations or conduct of the defendant, or a person whom the plaintiff reasonably believed to be acting on behalf of the defendant, and was reasonable in view of those representations or that conduct and other relevant circumstances,

and that in all the circumstances of the case, it is just to grant the extension of time.

(4) Where an extension of time is sought under this section in respect of the commencement of an action, the action may be instituted in the normal manner, but the process by which it is instituted must be endorsed with a statement to the effect that the plaintiff seeks an extension of time pursuant to this section.

(5) Proceedings under this section may be determined by the court at any time before or after the close of pleadings.

(6) This section does not:

(a) derogate from any other provision under which a court may extend or abridge time prescribed or limited by an Act or an instrument of a legislative or administrative character; or

(b) affect a rule of law or equity under which a limitation period affecting a right to bring an action may be extended or within which an action may be brought notwithstanding the expiration of the limitation period.

(7) This section extends to an action in which the damages claimed consist of or include damages in respect of personal injuries to any person or to an action which arises under the *Compensation (Fatal Injuries) Act 1974* notwithstanding that the limitation period for that action has expired before:

(a) the commencement of this Act; or

(b) an application is made under this section in respect of the action.

Division 3 Extension of limitation period for defamation

44AA Extension of limitation period – concerns notice

(1) The 1-year limitation period referred to in section 12(2)(b) is taken to have been extended as provided by subsection (2) if a concerns notice is given to the proposed defendant on a day (the ***notice day***) within the period of 56 days before the limitation period expires.

(2) The limitation period is extended for an additional period of 56 days minus any days remaining after the notice day until the 1-year limitation period expires.

Example for subsection (2)

Assume a concerns notice is given 7 days before the limitation period expires. This means that there are 6 days left after the notice day before the period expires. Consequently, this subsection would operate to extend the limitation period by 56 days minus 6 days, that is, 50 days.

(3) In this section:

concerns notice, see section 11A of the *Defamation Act 2006*.

date of publication, in relation to the publication of matter in electronic form, means the day on which the matter was first uploaded for access or sent electronically to a recipient.

44AAB Single publication rule

(1) This section applies if:

(a) a person (the ***first publisher***) publishes matter to the public that is alleged to be defamatory (the ***first publication***); and

(b) the first publisher or an associate of the first publisher subsequently publishes (whether or not to the public) matter that is substantially the same.

(2) Any cause of action for defamation against the first publisher or an associate of the first publisher in respect of the subsequent publication is to be treated as having accrued on the date of the first publication for the purposes of determining when:

(a) the limitation period applicable under section 12(2)(b) begins; or

(b) the 3-year period referred to in section 44A(2) begins.

(3) Subsection (2) does not apply in relation to the subsequent publication if the manner of that publication is materially different from the manner of the first publication.

(4) In determining whether the manner of a subsequent publication is materially different from the manner of the first publication, the considerations to which the court may have regard include (but are not limited to):

(a) the level of prominence that a matter is given; and

(b) the extent of the subsequent publication.

(5) This section does not limit the power of a court under section 44A to extend the limitation period applicable under section 12(2)(b).

(6) In this section:

associate of a first publisher means:

(a) an employee of the publisher; or

(b) a person publishing matter as a contractor of the publisher; or

(c) an associated entity (within the meaning of section 50AAA of the *Corporations Act 2001* (Cth)) of the publisher (or an employee or contractor of the associated entity).

date of first publication, in relation to the publication of matter in electronic form, means the day on which the matter was first uploaded for access or sent electronically to a recipient.

public includes a section of the public.

44A Extension of limitation period by court

(1) A person claiming to have a cause of action for defamation may apply to the court for an order extending the limitation period applicable under section 12(2)(b) for the cause of action.

(2) The court may extend the limitation period to a period of up to 3 years running from the date of the alleged publication of the matter if the plaintiff satisfies the court that it is just and reasonable to allow an action to proceed.

(2A) In determining whether to extend the limitation period, the court is to have regard to all of the circumstances of the case and in particular to:

(a) the length of, and the reasons for, the plaintiff's delay; and

(b) if a reason for the delay was that some or all of the facts relevant to the cause of action became known to the plaintiff after the limitation period expired:

(i) the day on which the facts became known to the plaintiff; and

(ii) the extent to which the plaintiff acted promptly and reasonably once the plaintiff knew whether or not the facts might be capable of giving rise to an action; and

(c) the extent, having regard to the delay, to which relevant evidence is likely to be unavailable or less cogent than if the action had been brought within the limitation period.

(3) A court may not order the extension of the limitation period for a cause of action for defamation other than in the circumstances specified in subsection (2).

44B Effect of order

If a court orders the extension of a limitation period for a cause of action under section 44A, the limitation period is accordingly extended:

(a) for an action (the ***principal action***) brought by the applicant in that court on the cause of action the applicant claims to have; and

(b) for section 24(1)(b) in relation to any action to recover contribution associated with the principal action.

44C Prior expiry of limitation period

An order for the extension of a limitation period, and an application for such an order, may be made under this Division even though the limitation period has already expired.

44D Effect of limitation law concerning electronic publications on other laws

(1) This section applies in respect of any requirement under section 12(2)(b) or 44AAB for the date of publication of a matter in electronic form to be determined by reference to the day on which the matter was first uploaded for access or sent electronically to a recipient.

(2) A requirement to which this section applies is relevant only for the purpose of determining when a limitation period begins and for no other purpose.

(3) Without limiting subsection (2), a requirement to which this section applies is not relevant for:

(a) establishing whether there is a cause of action for defamation; or

(b) the choice of law to be applied for a cause of action for defamation.

Part IV Miscellaneous

Division 1 Arbitration

45 Interpretation

(1) In this Division, the expression ***provisions for arbitration***:

(a) means the provisions of an agreement to submit present or future differences to arbitration whether an arbitrator is named in the agreement or not or whether or not the differences arise under the same or some other collateral agreement between the parties; and

(b) includes the provisions of an Act, or an instrument of a legislative or administrative character, requiring or permitting the determination of a dispute by arbitration or relating to such an arbitration.

(2) Where the provisions for arbitration consist of or include the provisions of an Act or an instrument of a legislative or administrative character, this Division has effect subject to those provisions.

46 Application to arbitration

(1) This Act applies to an arbitration in a similar manner to which it applies to other actions.

(2) An arbitration relating to a difference or matter under a provision for arbitration is not maintainable after the expiration of the limitation period fixed by or under this Act in respect of the right to bring an action for relief of the kind sought in the arbitration.

47 Date when cause of action accrues

Notwithstanding a term in provisions to arbitrate to the effect that a cause of action shall not accrue in respect of a matter required by the provisions to be referred until an award is made under the provisions, the cause of action shall, for the purposes of this Act, whether in its application to arbitrations or to other proceedings, be deemed to have accrued in respect of that matter at the time when it would have accrued but for that term in the provisions to arbitrate.

48 Date of commencement of arbitration

(1) For the purposes of this Division, where:

(a) the provisions for arbitration require or permit a party to the provisions to give notice in writing to another party requiring the other party to:

(i) appoint or concur in appointing an arbitrator; or

(ii) submit or concur in submitting a difference or matter to a person named or designated in the provisions as arbitrator; or

(b) in a case to which paragraph (a) does not apply, a party to the arbitration takes a step required or permitted by the provisions for the purpose of bringing a difference or matter before an arbitrator and gives to another party notice in writing of the taking of the step,

the arbitration is commenced as between the party giving the notice and the party to whom the notice is given on the date on which the notice is given.

(2) For the purposes of subsection (1), the date on which a notice is given is the date, or the earlier or earliest of the dates, on which the party giving the notice:

(a) delivers it to the party to whom it is to be given;

(b) leaves it at the usual or last-known place of business or residence of the party to whom it is to be given;

(c) posts it by certified mail to the party to whom it is to be given at his usual or last-known place of business or residence; or

(d) gives the notice in a manner required or permitted by the provisions for arbitration.

Division 2 General

48A Abrogation of rule in *Weldon v Neal*

(1) If a court would, but for the expiry of a relevant period of limitation after the day a proceeding in the court has commenced, allow a party to amend a document in the proceeding, the court shall allow the amendment to be made if it is satisfied that no other party to the proceeding would by reason of the amendment be prejudiced in the conduct of that party's claim or defence in a way that could not be met by an adjournment, an award of costs or otherwise.

(2) This section does not apply to an amendment in a proceeding commenced before the commencement of this section.

49 Joint rights of action

Where, but for this Act, 2 or more persons would have a right to bring an action jointly and by reason of the application of this Act, the right of one or more of them to bring the action is barred, an action may nevertheless be brought by the other or others of them.

50 Joint liability

Where, but for this Act, 2 or more persons would be liable to be sued jointly, and by reason of the application of this Act, an action may not be brought against one or more of them, an action may nevertheless be brought against the other or others of them.

51 Regulations

The Administrator may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Part V Transitional matters

Division 1 Transitional matters for Defamation Act 2006

52 Application of Act to actions for defamation

(1) Section 12(2)(b) and Part III, Division 3 apply to the publication of any defamatory matter to which the *Defamation Act 2006* applies.

(2) The existing limitation law continues to apply to any cause of action to which the existing law of defamation continues to apply under section 45 of the *Defamation Act 2006*.

(3) In this section:

existing law of defamation has the same meaning as in section 45 of the *Defamation Act*.

existing limitation law means the provisions of this Act that applied in relation to the limitation period for defamation actions immediately before the commencement of the *Defamation Act 2006*.

Division 2 Transitional matters for Limitation Amendment (Child Abuse) Act 2017

53 Interpretation

(1) In this Division:

commencement means the commencement of the *Limitation Amendment (Child Abuse) Act 2017*.

legal professional negligence extends to the breach of any duty of professional care owed by an Australian legal practitioner, whether arising in tort, contract or otherwise.

limitation period means a limitation period fixed by an Act repealed by this Act or fixed by or under a provision of this Act (including a repealed provision of this Act).

(2) In this Division, a reference to a judgment given includes a judgment entered, and also extends to an agreement entered into in relation to settlement of a matter of damages for personal injury to a person arising from child abuse of the person.

54 Pre-existing judgments

(1) An action may be brought after the commencement on a cause of action even if, before the commencement, a judgment on the cause of action has been given on the ground that a limitation period applying to the cause of action had expired.

(2) An action may be brought after the commencement on a cause of action even if, before the commencement, a judgment in respect of legal professional negligence has been given on the ground that a limitation period applying to the cause of action had expired.

(3) However, an action cannot be brought after the commencement on a cause of action where, before the commencement, a court had given judgment in final determination of a matter on grounds other than that a limitation period applying to the cause of action had expired.

(4) An action brought after the commencement, as mentioned in subsections (1) and (2), may be brought as if the action in which the previous judgment was given had not itself been commenced.

(5) If an action is brought on or after the commencement, the court hearing the action may, if it considers it is just and reasonable to do so, do any or all of the following:

(a) set aside any judgment as mentioned in subsection (1) or (2) already given on, or in relation to, the cause of action;

(b) take into account any amounts paid or payable by way of damages under such a judgment;

(c) take into account any amounts paid or payable by way of costs in connection with any action in which such a judgment was given.

(6) The Supreme Court may, on application, exercise the power under this section to set aside a judgment even though it is not hearing the action.

(7) A court (other than the Supreme Court) may not exercise the power under this section to set aside a judgment of any other court.

55 Proceedings begun before the commencement

(1) This section applies in relation to an action brought before the commencement where:

(a) before the commencement, a limitation period applied to the cause of action; and

(b) judgment had, at the commencement, not been given in the action.

(2) Section 5A applies in relation to the action to remove the previously applying limitation period.

Division 3 Transitional matters for Defamation Legislation Amendment Act 2025

56 Application of amendments

(1) Section 44AA applies in relation to the publication of defamatory matter after the commencement of that section.

(2) Section 44AAB applies in relation to the publication of defamatory matter after the commencement of that section, subject to subsection (3).

(3) Section 44AAB extends to a first publication before the commencement of that section, but only in respect of subsequent publications after the commencement.

(4) The amendment to section 44A by section 25 of the *Defamation Legislation Amendment Act 2025* applies in relation to the publication of defamatory matter after the commencement of the amendment.

Schedule

section 3

Part I

Year and chapter	Subject or title	Extent to which Act ceases to apply to the Territory
31 Eliz.1.c.5	The Common Informers Act 1588	Section 5
21 Jac.1.c.16	The Limitation Act, 1623	The whole Act
4 and 5 Anne c.3 (or 4 and 5 Anne c.16)	The Administration of Justice Act, 1705	Sections 17, 18 and 19
9 Geo. 3. c.16	The Crown Suits Act, 1769	The whole Act

Part II

An Ordinance to protect Justices of the Peace from Vexatious Actions for acts done by them in the execution of their Office, No. 9 of 1849.

The Summary Procedure on Bills of Exchange Act, 1858. No. 4 of 1858.

The Limitation of Suits and Actions Act, 1866. No. 14 of 1866-67.

An Act to provide for the Recovery of Damages caused by Negligence on the part of Persons employed by the Government of South Australia in certain cases, No. 17 of 1874.

The Quarantine Act, 1877. No. 64 of 1877.

The Destitute Persons Act, 1881. No. 210 of 1881.

The Water Conservation Act, 1886. No. 392 of 1886.

The Municipal Corporations Act, 1890. No. 497 of 1890.

Part III

Number and year of Act	Short title	How affected
No. 237 of 1881	Marine Board and Navigation Act, 1881	Section 374 ceases to have effect in the Northern Territory as a law of the Northern Territory.

Part IV

Number and year of Act	Short title	Amendment
No. 380 of 1886	The *Real Property Act 1886*	Omit section 215
No. 26 of 1928	*Justices Act 1928*	Omit sections 194, 195 and 196 Omit from section 197 the word "such"
No. 13 of 1940	*Lottery and Gaming Act 1940*	Omit section 96
No. 6 of 1941	*Local Courts Act 1941*	Omit section 286
No. 18 of 1955	*Local Government Act 1955*	Omit sections 404 and 415
No. 8 of 1959	*Housing Act 1959*	Omit section 35
No. 35 of 1963	*Sheriff Act 1963*	Omit section 24
No. 36 of 1974	*Compensation (Fatal Injuries) Act 1974*	Omit section 9
No. 1 of 1975	*Cyclone Disaster Emergency Act 1975*	Omit section 15

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

2 LIST OF LEGISLATION

***Limitation Act 1981* (Act No. 87, 1981)**

Assent date	21 September 1981
Commenced	26 February 1982 (*Gaz* G8, 26 February 1982, p 2)

***Supreme Court (Rules of Procedure) Act 1987* (Act No. 37, 1987)**

Assent date	13 October 1987
Commenced	1 November 1987 (s 2)

***Statute Law Revision Act 1988* (Act No. 66, 1988)**

Assent date	22 December 1988
Commenced	22 December 1988

***Limitation Amendment Act 1993* (Act No. 57, 1993)**

Assent date	5 October 1993
Commenced	6 December 1993 (*Gaz* G48, 1 December 1993, p 3)

***Sentencing (Consequential Amendments) Act 1996* (Act No. 17, 1996)**

Assent date	19 April 1996
Commenced	s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz* S15, 13 June 1996)

***Mental Health and Related Services (Consequential Amendments) Act 1999* (Act No. 11, 1999)**

Assent date	25 March 1999
Commenced	1 February 2000 (s 2, s 2 *Mental Health and Related Services Act 1998* (Act No. 63, 1998) and *Gaz* G3, 26 January 2000, p 2)

***Land Title (Consequential Amendments) Act 2000* (Act No. 45, 2000)**

Assent date	12 September 2000
Commenced	1 December 2000 (s 2, s 2 *Land Title Act 2000* (Act No. 2, 2000) and *Gaz* G38, 27 September 2000, p 2)

Defamation Act 2006 **(Act No. 8, 2006)**
Assent date 26 April 2006
Commenced 26 April 2006

Law Reform (Dust Diseases) Amendment Act 2007 **(Act No. 22, 2007)**
Assent date 29 October 2007
Commenced 7 November 2007 (*Gaz* G45, 7 November 2007, p 3)

Statute Law Revision Act 2008 **(Act No. 6, 2008)**
Assent date 11 March 2008
Commenced 11 March 2008

Advance Personal Planning Amendment Act 2016 **(Act No. 13, 2016)**
Assent date 7 June 2016
Commenced 28 July 2016 (s 2, s 2 *Guardianship of Adults Act 2016* (Act No. 15, 2016) and *Gaz* S74, 27 July 2016, p 1)

Limitation Amendment (Child Abuse) Act 2017 **(Act No. 10, 2017)**
Assent date 31 May 2017
Commenced 15 June 2017 (*Gaz* S31, 15 June 2017)

Statute Law Revision Act 2020 **(Act No. 26, 2020)**
Assent date 19 November 2020
Commenced 20 November 2020 (s 2)

Defamation Legislation Amendment Act 2025 **(Act No. 20, 2025)**
Assent date 10 August 2025
Commenced 11 August 2025 (s 2)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22 of 2018) to: ss 1, 4, 5A, 12, 14, 17, 24, 24, 25, 38, 44 and 52 and Sch.

4 LIST OF AMENDMENTS

s 4	amd No. 45, 2000, s 11
s 5A	ins No. 10, 2017, s 4
s 9	amd No. 10, 2017, s 5
s 10	amd No. 57, 1993, s 3
s 12	amd No. 8, 2006, s 49; No. 22, 2007, s 6; No. 6, 2008, s 3; No. 26, 2020, s 3
s 14	amd No. 45, 2000, s 11
s 16	amd No. 17, 1996, s 6
s 19	amd No. 26, 2020, s 3
s 25	amd No. 45, 2000, s 11
ss 27 – 30	amd No. 26, 2020, s 3
s 31	rep No. 66, 1988, s 6
pt II	
div 5 hdg	ins No. 57, 1993, s 4
	amd No. 26, 2020, s 3
ss 35A – 35B	ins No. 57, 1993, s 4
ss 35C – 35D	ins No. 57, 1993, s 4
	amd No. 26, 2020, s 3
s 35E	ins No. 57, 1993, s 4

s 38	amd No. 11, 1999, s 4; No. 13, 2016, s 35
s 44	amd No. 8, 2006, s 50
pt III	
div 3 hdg	ins No. 8, 2006, s 51
s 44AA – 44AAB	ins No. 20, 2025, s 24
s 44A	ins No. 8, 2006, s 51
	amd No. 26, 2020, s 3; No. 20, 2025, s 25
ss 44B – 44C	ins No. 8, 2006, s 51
s 44D	ins No. 20, 2025, s 26
s 48A	ins No. 37, 1987, s 20
pt V hdg	ins No. 8, 2006, s 52
	amd No. 10, 2017, s 6
pt V	
div 1 hdg	ins No. 10, 2017, s 7
s 52	ins No. 8, 2006, s 52
	amd No. 20, 2025, s 27
pt V	
div 2 hdg	ins No. 10, 2017, s 8
ss 53 – 55	ins No. 10, 2017, s 8
pt V	
div 3 hdg	ins No. 20, 2025, s 28
s 56	ins No. 20, 2025, s 28