
Law Reform (Miscellaneous Provisions) (Amendment) Ordinance 1982

No. 95 of 1982

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 20 December 1982.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

N. A. BROWN
Minister of State for Communications
for and on behalf of the
Attorney-General

An Ordinance to amend the *Law Reform (Miscellaneous Provisions) Ordinance 1955*

Short title

1. This Ordinance may be cited as the *Law Reform (Miscellaneous Provisions) (Amendment) Ordinance 1982*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Law Reform (Miscellaneous Provisions) Ordinance 1955*.²

Damages in actions which survive under this Part

3. Section 5 of the Principal Ordinance is amended—

- (a) by omitting from sub-paragraph (c) (i) "and"; and
- (b) by adding at the end of paragraph (c) the following word and sub-paragraph:

"; and (iii) do not include damages for the loss of the capacity of that person to earn, or for the loss of future probable earnings of that person, had he survived."

Application

4. (1) Subject to sub-section (2), the Principal Ordinance as amended by this Ordinance applies in relation to a cause of action whether the cause of action arose before or after the commencement of this Ordinance.

(2) The Principal Ordinance as amended by this Ordinance does not apply in relation to a cause of action in respect of which judgment has, before the commencement of this Ordinance, been given or entered, whether or not an appeal has been made against that judgment.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 21 December 1982.
2. No. 3, 1955 as amended by No. 14, 1965; No. 10, 1968; No. 65, 1977.