



AUSTRALIAN CAPITAL TERRITORY

Limitation (Amendment) Act 1998

No. 58 of 1998

An Act to amend the *Limitation Act 1985*

[Notified in ACT Gazette S207: 27 November 1998]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Limitation (Amendment) Act 1998*.

2. Commencement

This Act commences on the day on which it is notified in the *Gazette*.

3. Principal Act

In this Act, “Principal Act” means the *Limitation Act 1985*.¹

4. Insertion

(1) After section 21A of the Principal Act the following section is inserted in Division 2 of Part II:

“21B. Defamation

“(1) An action on a cause of action for defamation is not maintainable if brought after the expiration of a limitation period of 1 year running from the date of the first publication of the matter complained of.

“(2) For the purposes of an action in a court, the court shall, if satisfied that it was not reasonable for the plaintiff to have known about the

Limitation (Amendment) Act 1998 No. 58, 1998

publication of the matter complained of within 1 year from the date of the first publication, extend the limitation period mentioned in subsection (1) to 2 years.”.

(2) Where a cause of action for defamation has arisen before the commencement of this Act, an action on that cause of action is not maintainable unless brought within 1 year from that commencement.

NOTE

Principal Act

1. Reprinted as at 6 February 1995. See also Act No. 54, 1995.

[Presentation speech made in Assembly on 26 August 1998]

© Australian Capital Territory 1998