

**2005**

**The Legislative Assembly for the  
Australian Capital Territory**

**Limitation Amendment Bill 2005**

**Explanatory Statement**

Circulated with the authority of Bill Stefaniak MLA

## **Outline**

The object of this Bill is to amend the Act to extend the limitation period for bringing an action for personal injuries for victims of the January 2003 bushfires in the ACT to 6 years from the date of the fires, i.e. until 28 January 2009.

### **Limitation Amendment Bill 2005**

Clauses 1, 2 and 3 are formal requirements. Respectively, they refer to the name of the Act, the commencement dates of the Act and declare that the Limitation Act 1985 is being amended.

Clause 4 inserts a new section 16C dealing with claims arising out of the January 2003 bushfires.

Subsection 16C (1) extends the limitation period for personal injuries suffered as a result of the January 2003 bushfires to 6 years.

Subsection 16C (2) defines the bushfire period in the ACT as being from 18 January 2003 to 28 January 2003, consistent with the definition in the Land (Planning and Environment) (Bushfire Emergency) Regulation 2003.

Subsection 16C (3) states that the section expires on 29 January 2010, one year after the limitation period ends (29 January 2009), and accordingly the section will then be deleted from the Act.

Subsection 16C (4) makes it clear that the effect of s16C is not affected by the repeal of the law on 29 January 2010.