

AUSTRALIAN CAPITAL TERRITORY

LAW REFORM (MISCELLANEOUS PROVISIONS) ORDINANCE 1968

EXPLANATORY MEMORANDUM

No. 10 of 1968

The Law Reform (Miscellaneous Provisions) Ordinance 1955-1965 made a number of reforms in relation to actions in tort. The purpose of this Ordinance is to make some amendments consequential upon the making of the Compensation (Fatal Injuries) Ordinance 1968. The provisions of sections 8, 10, 11, 14 and 16 are brought into line with the provisions of the latter Ordinance.

2. In addition, section 6, which deals with the period within which an action may be brought against the estate of a deceased wrongdoer, has been re-made –

- (a) to omit the requirement that the cause of action should have arisen not earlier than twelve months before the death of the deceased;
- (b) if the damage is not suffered until after the death of the wrongdoer, to allow a period of twelve months from the date on which the damage is suffered within which to bring an action if that period expires after the ordinary period of twelve months from the date on which probate or letters of administration of the estate is granted;
- (c) to ensure that a right of action, which is statute barred at the date of death, is not revived.