



## ANALYSIS

Title  
1. Short Title

| 2. Limitation of actions of contract and  
tort, and certain other actions

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1970, No. 78

**An Act to amend the Limitation Act 1950**

[27 November 1970]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Limitation Amendment Act 1970, and shall be read together with and deemed part of the Limitation Act 1950 (hereinafter referred to as the principal Act).

**2. Limitation of actions of contract and tort, and certain other actions**—(1) Section 4 of the principal Act is hereby amended by repealing subsection (7), and inserting the following subsection:

“(7) An action in respect of the bodily injury to any person shall not be brought after the expiration of 2 years from the date on which the cause of action accrued unless the action is brought with the consent of the intended defendant before the expiration of 6 years from that date:

“Provided that if the intended defendant does not consent, application may be made to the Court, after notice to the intended defendant, for leave to bring such an action at any time within 6 years from the date on which the cause of action accrued; and the Court may, if it thinks it is just to do so, grant leave accordingly, subject to such conditions (if any)

as it thinks it is just to impose, where it considers that the delay in bringing the action was occasioned by mistake of fact or mistake of any matter of law other than the provisions of this subsection or by any other reasonable cause or that the intended defendant was not materially prejudiced in his defence or otherwise by the delay.”

(2) Subsection (1) of section 2 of the Limitation Amendment Act 1962 is hereby repealed.

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This Act is administered in the Department of Justice.

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