



AN BILLE UM REACHT NA dTRÉIMHSÍ (LEASÚ), 1999
STATUTE OF LIMITATIONS (AMENDMENT) BILL, 1999

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
 2. Amendment of section 48(1) of Principal Act.
 3. Amendment of section 2(1) of the Act of 1991.
 4. Insertion of new subsection (1A) in section 3 of the Act of 1991.
 5. Amendment of section 3 of the Act of 1991.
 6. Application of Act.
 7. Short title, construction and collective citation.
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Acts Referred to

Statute of Limitations, 1957

1957, No. 6

Statute of Limitations (Amendment) Act, 1991

1991, No. 18



AN BILLE UM REACHT NA dTRÉIMHSÍ (LEASÚ), 1999
STATUTE OF LIMITATIONS (AMENDMENT) BILL, 1999

BILL

entitled

5 AN ACT TO AMEND AND EXTEND THE STATUTE OF LIMITATIONS, 1957, AND THE STATUTE OF LIMITATIONS (AMENDMENT) ACT 1991, BY MAKING NEW PROVISIONS AS REGARDS THE DATE FROM WHICH THE PERIOD OF LIMITATION IS TO RUN IN RESPECT OF
10 ACTIONS FOR CERTAIN PERSONAL INJURIES RESULTING FROM PHYSICAL OR SEXUAL ABUSE.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Interpretation.

“the Act of 1991” means the Statute of Limitations (Amendment)
15 Act, 1991.

“the Principal Act” means the Statute of Limitations, 1957;

2.—Section 48 (1) of the Principal Act is hereby amended:

Amendment of section 48(1) of Principal Act.

(a) by the deletion in paragraph (c) of “Act” and the substitution therefor of “Act, or”,

20 and

(b) the insertion of the following paragraph after paragraph (c):

“(d) he or she being the victim of physical or sexual abuse, by reason of that abuse, or its consequences, or any other act of the alleged perpetrator of that abuse, is unable to seek or act upon legal advice in relation thereto.”.
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3.—Section 2 (1) of the Act of 1991 is hereby amended by the substitution of the following paragraph for paragraph (c):

Amendment of section 2(1) of the Act of 1991.

“(c) that the injury was attributable in whole or in part to the act or omission which is alleged to constitute assault, physical or sexual abuse, negligence, nuisance or breach of duty,”.
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Insertion of new
subsection (1A) in
section 3 of the Act
of 1991.

4.—Section 3 of the Act of 1991 is hereby amended by the inser-
tion after subsection (1) of the following subsection:

“(1A) Notwithstanding subsection (1) of this section, an action
claiming damages in respect of personal injuries to a per- 5
son caused by assault, negligence, nuisance or breach of
duty (whether the duty exists by virtue of a contract or
of a provision made by, or under a Statute, or independ-
antly of any contract or any such provision) where the
injury arises from the physical or sexual abuse of the per- 10
son bringing the action shall not be brought after the
expiration of six years from the date on which the cause
of action accrued or the date of knowledge (if later) of
the person injured.”.

Amendment of
section 3 of the Act
of 1991.

5.—Section 3 of the Act of 1991 is hereby amended by the substi-
tution of the following subsection for subsection (2): 15

“(2) Section 11(2) of the Principal Act is hereby amended by
the substitution of the following paragraph for paragraphs (a)
and (b):

‘(a) Subject to paragraph (c) of this subsection and to
section 3 (1) of the Statute of Limitations 20
(Amendment) Act, 1991 and to section 3(1A) of the
Act of 1991 (as inserted by section 4 of the *Statute of
Limitations (Amendment) Act, 1999*), an action
founded on tort shall not be brought after the expir-
ation of six years from the date on which the cause 25
of action accrued.’.”.

Application of Act.

6.—This Act shall apply to all causes of action whether accruing
before or after its passing and to proceedings pending at its passing.

Short title,
construction and
collective citation.

7.—(1) This Act may be cited as the Statute of Limitations
(Amendment) Act, 1999. 30

(2) The Principal Act, the Act of 1991 and this Act shall be con-
strued as one and may be cited together as the Statute of Limitations
1957 to 1999.