

TABLE OF LIMITATION OF ACTIONS

The table deals with limitation periods of general application set out in the Limitation Acts of each jurisdiction and related legislation dealing with various causes of action. Each jurisdiction also has particular limitation rules which are set out in other statutes.

References in square brackets are to paragraph numbers within *The Laws of Australia* 5.10 "Limitation of Actions" by Professor Peter R Handford, LLB (Birm), LLM, Phd (Cantab).

Limitation periods run from the time when the cause of action accrues, unless some other rule is stated. Dates (eg "before 1/1/2007" or "on or after 2/1/2007") refer to causes of action accruing before, on or after the date specified. "P" refers to the plaintiff and "D" refers to the defendant. The rules dealing with when a cause of action accrues are discussed in *The Laws of Australia* paragraphs referred to.

All Australian states and territories have seen important changes to the laws on limitation periods in recent years, especially as a result of the 2002 tort reforms and the modernisation of limitation laws in Western Australia. The table of limitations will assist legal practitioners and others by providing an easy-reference guide to the major limitation periods, extension provisions and other rules in the Limitation Acts of each jurisdiction.

This Table is current as at 1 November 2011.
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Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
EQUITABLE ACTIONS: [5.10.270] – [5.10.300]									
Equitable actions	6 years: s 11(1) (general limitation period). See [5.10.300].	See [5.10.270] – [5.10.280].	See [5.10.270] – [5.10.280].	See [5.10.270] – [5.10.280].	See [5.10.270] – [5.10.280].	See [5.10.270] – [5.10.280].	See [5.10.270] – [5.10.280].	See [5.10.270] – [5.10.280].	6 years: s 13(1) (general limitation period). See [5.10.300].
Equitable actions not analogous to other actions	No provision.	No provision.	No provision.	No provision.	No provision.	No provision.	No provision.	No provision.	6 years from accrual, or 3 years since time started running on equitable principles, whichever is later: s 27. See [5.10.300].

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	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
CONTRACT AND QUASI-CONTRACT: [5.10.620] – [5.10.725]									
Contract (except actions founded on a deed)	6 years: s 11(1) (general limitation period). See [5.10.620].	6 years: s 14(1)(a). See [5.10.620].	3 years: s 12(1)(a). See [5.10.620].	6 years: s 10(1)(a). See [5.10.620].	6 years: s 35(a). See [5.10.620].	6 years: s 4(1)(a). See [5.10.620].	6 years: s 5(1)(a). See [5.10.620].	6 years: s 38(1)(c)(v). See [5.10.620].	6 years: s 13(1) (general limitation period). See [5.10.620]. Action for repayment of debt repayable on demand accrues on failure to comply with demand for repayment: s 59. See [5.10.640].
Actions for seamen's wages	6 years: s 11(1) (general limitation period). See [5.10.700].	6 years: s 22(1). See [5.10.700].	3 years: s 20(2). See [5.10.700].	No provision. See [5.10.700].	6 years: s 35(g). See [5.10.700].	6 years: s 8(1). See [5.10.700].	6 years: s 5(1)(a). See [5.10.700].	6 years: <i>Administration of Justice Act 1705 4 & 5 Anne c 16 (IMP)</i> , s 17. See [5.10.700].	6 years: <i>Administration of Justice Act 1705 4 & 5 Anne c 16 (IMP)</i> , s 17. See [5.10.700].
Actions on a specialty or deed	Deeds: 12 years: s 13. See [5.10.710].	Deeds: 12 years: s 16. See [5.10.710].	Deeds: 12 years: s 14(1). See [5.10.710].	Specialty: 12 years: s 10(3). See [5.10.710].	Specialty: 15 years: s 34. See [5.10.710].	Specialty: 12 years: s 4(3). See [5.10.710].	Specialty: 15 years: s 5(3). See [5.10.710].	Specialty: 20 years: s 38(1)(e)(i). See [5.10.710].	Deeds: 12 years: s 18. See [5.10.710].

Cause of action	Australian Capital Territory	<i>Limitation Act 1985</i>	6 years: s 11(1) (general limitation period). See [5.10.720].
	New South Wales	<i>Limitation Act 1969</i>	6 years: s 14(1)(a). See [5.10.720]. Action arising by virtue of frustration of contract: 6 years from date of frustration: s 14A. See [5.10.720].
	Northern Territory	<i>Limitation Act 1981</i>	3 years: s 12(1)(a). See [5.10.720].
	Queensland	<i>Limitation of Actions Act 1974</i>	6 years: s 10(1)(a). See [5.10.720].
	South Australia	<i>Limitation of Actions Act 1936</i>	6 years: s 35(a) (implied contract). See [5.10.720]. Recovery of money paid under mistake or otherwise based on restitutionary grounds: 6 years: s 38(1). See [5.10.720].
	Tasmania	<i>Limitation Act 1974</i>	6 years: s 4(1)(a) (implied contract). See [5.10.720].
	Victoria	<i>Limitation of Actions Act 1958</i>	6 years: s 5(1)(a) (implied contract). See [5.10.720].
	Western Australia (before 15/11/2005)	<i>Limitation Act 1935</i>	6 years: s 38(1)(c)(v) (implied contract). See [5.10.720].
	Western Australia (on or after 15/11/2005)	<i>Limitation Act 2005</i>	6 years: s 13(1) (general limitation period). See [5.10.720].
Quasi-contract			

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	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
	TORT: [5.10.740] – [5.10.1260]								
Tort (other than specific cases set out below)	6 years: s 11(1) (general limitation period). See [5.10.740].	6 years: s 14(1)(b). See [5.10.740].	3 years: s 12(1)(b). See [5.10.740].	6 years: s 10(1)(a). See [5.10.740].	6 years: s 35(c). See [5.10.740].	6 years: s 4(1)(a). See [5.10.740].	6 years: s 5(1)(a). See [5.10.740].	6 years: s 38(1)(c)(vi), (vii) (all other actions founded on tort and in the nature of actions on the case). See [5.10.740].	6 years from accrual: s 13(1) (general limitation period). See [5.10.740].
Trespass	6 years: s 11(1) (general limitation period). See [5.10.740], [5.10.760].	6 years: s 14(1)(b) (general tort limitation period). See [5.10.740], [5.10.760].	3 years: s 12(1)(b) (general tort limitation period). See [5.10.740], [5.10.760].	6 years: s 10(1)(a) (general tort limitation period). See [5.10.740], [5.10.760].	6 years: s 35(c) (general tort limitation period). See [5.10.740], [5.10.760].	6 years: s 4(1)(a) (general tort limitation period). See [5.10.740], [5.10.760].	6 years: s 5(1)(a) (general tort limitation period). See [5.10.740], [5.10.760].	Trespass to the person: 3 years: s 16. See [5.10.740], [5.10.760]. Trespass to land or goods, detainee or conversion: 6 years: s 38(1)(c)(iv). See [5.10.740], [5.10.760].	Trespass to the person: 3 years: s 16. See [5.10.740], [5.10.760].

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	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
Second or subsequent conversion	6 years from accrual of original cause of action: s 18 (except where stolen: s 5(b)). See [5.10.770].	6 years from accrual of original cause of action: s 21. See [5.10.770].	3 years from accrual of original cause of action: s 19(1). See [5.10.770].	6 years from accrual of original cause of action: s 12(1). See [5.10.770].	No provision – each fresh conversion generates new cause of action. See [5.10.770].	6 years from accrual of original cause of action: s 6(1). See [5.10.770].	6 years from accrual of original cause of action: s 6(1). See [5.10.770].	No provision – each fresh conversion generates new cause of action. See [5.10.770].	6 years from accrual of original cause of action: s 60. See [5.10.770].
Actions for breach of statutory duty	6 years: s 11(1) (general limitation period). See [5.10.740].	6 years: s 14(1)(b). See [5.10.740].	3 years: s 12(1)(b). See [5.10.740].	6 years: s 10(1)(a) (general tort limitation period). See [5.10.740].	6 years: s 35(c) (general tort limitation period). See [5.10.740].	6 years: s 4(1)(a). See [5.10.740].	6 years: s 5(1)(a). See [5.10.740].	Action for penalties, damages or sums given to P by any enactment: 2 years: s 38(1)(a). See [5.10.740].	6 years: s 13(1) (general limitation period). See [5.10.740].

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Defamation	<p><i>Limitation Act 1985</i></p> <p>Before 23/2/2006: 1 year from publication: s 21B(1) (as in force prior to amendment). See [5.10.1240]. On or after 23/2/2006: 1 year from publication: s 21B(1) (subject to transitional provisions in <i>Civil Law (Wrongs) Act 2002 (ACT)</i>, s 230(2), effect of this section continues after expiry: <i>Legislation Act 2001 (ACT)</i>, s 88). See [5.10.1250].</p>	<p><i>Limitation Act 1969</i></p> <p>Before 1/1/2006: 1 year from publication: s 14B(3) (now repealed). See [5.10.1240]. On or after 1/1/2006: 1 year from publication: s 14B (subject to transitional provisions in Sch 5 Pt 2 cl 7(2)). See [5.10.1250].</p>	<p><i>Limitation Act 1981</i></p> <p>Before 26/4/2006: 3 years: s 12(1)(b) (general tort limitation period). See [5.10.780]. On or after 26/4/2006: 1 year from publication: s 12(2)(b) (subject to transitional provisions in <i>Defamation Act 2006 (NT)</i>, s 45(2)). See [5.10.1250].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>Before 1/1/2006: 6 years: s 10(1)(a) (general tort limitation period). See [5.10.780]. On or after 1/1/2006: 1 year from publication: s 10AA (subject to transitional provisions in <i>Defamation Act 2005 (Qld)</i>, s 49(2)). See [5.10.1250].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>Before 1/1/2006: 6 years: s 35(c) (general tort limitation period). See [5.10.780]. Slander: 2 years: s 37. See [5.10.780]. On or after 1/1/2006: 1 year from publication: s 37(1) (subject to transitional provisions in <i>Defamation Act 2005 (SA)</i>, Sch 1 Pt 6 cl 8(2)). See [5.10.1250].</p>	<p><i>Limitation Act 1974</i></p> <p>Before 1/1/2006: 6 years: s 4(1)(a) (general tort limitation period). See [5.10.780]. On or after 1/1/2006: 1 year from publication: <i>Defamation Act 2005 (Tas)</i> (subject to transitional provisions in s 20A(1) (subject to transitional provisions in <i>Defamation Act 2005 (Tas)</i>, s 20B(2)). See [5.10.1250].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>Before 1/1/2006: 6 years: s 5(1)(a) (general tort limitation period). See [5.10.780]. On or after 1/1/2006: 1 year from publication: s 5(1AAA) (subject to transitional provisions in <i>Defamation Act 2005 (Vic)</i>, s 46(2)). See [5.10.1250].</p>	<p><i>Limitation Act 1935</i></p> <p>Libel: slander actionable on proof of damage: 6 years: s 38(1)(c)(vi) (general tort limitation period). See [5.10.780]. Slander actionable without proof of damage: 2 years: s 38(1)(a)(ii). See [5.10.1240].</p>	<p><i>Limitation Act 2005</i></p> <p>1 year from publication: s 15 (subject to transitional provisions in s 8(2)). See [5.10.1250].</p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of limitation period for defamation	<p><i>Limitation Act 1985</i></p> <p>Before 23/2/2006: Up to 2 years from publication, if unreasonable for P to have known about matter complained of within 1 year from publication: s 21B(2) (as in force prior to amendment). See [5.10.1240]. On or after 23/2/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 21B(2). See [5.10.1250].</p>	<p><i>Limitation Act 1969</i></p> <p>Before 1/1/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within 1 year from publication: s 56A (as in force prior to amendment). See [5.10.1240]. On or after 1/1/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 56A. See [5.10.1250].</p>	<p><i>Limitation Act 1981</i></p> <p>Before 26/4/2006: No provision. On or after 26/4/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 44A. See [5.10.1250].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>Before 1/1/2006: No provision. On or after 1/1/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 32A. See [5.10.1250].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>Before 1/1/2006: No provision. On or after 1/1/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 37(2). See [5.10.1250].</p>	<p><i>Limitation Act 1974</i></p> <p>Before 1/1/2006: No provision. On or after 1/1/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: <i>Defamation Act 2005</i> (Tas), s 20A(2). See [5.10.1250].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>Before 1/1/2006: No provision. On or after 1/1/2006: Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 23B. See [5.10.1250].</p>	<p><i>Limitation Act 1935</i></p> <p>No provision.</p>	<p><i>Limitation Act 2005</i></p> <p>Up to 3 years from publication, if unreasonable for P to have commenced action within limitation period: s 40. See [5.10.1250].</p>

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PROPERTY DAMAGE AND ECONOMIC LOSS: [5.10.1200] – [5.10.1230]										
Actions for negligence for property damage or economic loss	6 years: s 11(1) (general limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 14(1)(b) (general tort limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	3 years: s 12(1)(b) (general tort limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 10(1)(a) (general tort limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 35(c) (general tort limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 4(1)(a) (general tort limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 5(1)(a) (general tort limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 38(1)(c)(vi) (all other actions founded on tort). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	6 years: s 13(1) (general limitation period). See [5.10.740]. See also [5.10.1200] – [5.10.1220].	
Actions in respect of defective building work	10 years from date certificate of completion given, date of last inspection, or date of first occupation: <i>Building Act 2004</i> (ACT), s 142. See [5.10.1200].	10 years from date final occupation certificate issued, or date of last inspection, or date of first occupation: <i>Environmental Planning and Assessment Act 1979</i> (NSW), s 109ZK. See [5.10.1200].	10 years from date of issue of occupancy permit, or date of first occupation after completion: <i>Building Act 1993</i> (NT), ss 159 – 160. See [5.10.1200].	No provision.	10 years from completion: <i>Development Act 1993</i> (SA), s 73. See [5.10.1200].	10 years from date certificate of occupancy issued, date of first occupation, or 2 years after issue of building permit: <i>Building Act 2000</i> (Tas), ss 255 – 256. See [5.10.1200].	10 years from date of issue of occupancy permit or date of issue of certificate of final inspection: <i>Building Act 1993</i> (Vic), ss 130, 134, see also s 134A (10-year limitation period on plumbing work). See [5.10.1200].	No provision.	No provision.	No provision.

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Extension of limitation period for actions for negligence for property damage or economic loss	Up to 15 years from date of act or omission giving rise to cause of action, if just and reasonable: s 40. See [5.10.1230].	No provision.	Any period, if material facts not ascertained until 12 months before end of period of limitation or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 44. See [5.10.960], [5.10.1230].	No provision.	Any period, if material facts not ascertained until 12 months before end of period of limitation or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 48. See [5.10.960]. This does not apply to defective building work: <i>Development Act 1993 (SA)</i> , s 73(1). See [5.10.1230].	No provision.	No provision.	No provision.	Where court satisfied that failure to commence action attributable to fraudulent or other improper conduct, can extend time in which action can be commenced to up to 3 years from when action ought reasonably to have been commenced: s 38. See [5.10.2250].

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	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
PERSONAL INJURY: [5.10.830] – [5.10.1190]									
Personal injury	Before 9/9/2003: 6 years: s 11(1) (general limitation period), see also transitional provisions in s 100. See [5.10.860]. On or after 9/9/2003: 3 years from date of injury: s 16B(2)(b). See [5.10.870].	Before 1/9/1990: 6 years: s 14(1)(b) (general tort limitation period). See [5.10.890]. Between 1/9/1990 – 5/12/2002: 3 years: s 18A. See [5.10.900]. On or after 6/12/2002: 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 50C. See [5.10.930].	3 years: s 12(1)(b) (general tort limitation period). See [5.10.950].	3 years: s 11. See [5.10.970].	3 years: s 36(1). See [5.10.950].	Before 1/1/2005: 3 years: s 5(1). See [5.10.1010]. On or after 1/1/2005: 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 5A(3). See [5.10.1030].	Before 5/11/2002: 6 years: s 5(1)(a) (general tort limitation period). See [5.10.1050]. Between 5/11/2002 – 20/5/2003: 3 years: ss 5(1AA), 39. See [5.10.1050]. On or after 21/5/2003 (and as from 1/10/2003, all actions): 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 27D. See [5.10.1070].	6 years: s 38(1)(c)(vi), but cause of action no longer accrues on suffering of damage, but according to rules in <i>Limitation Act 2005</i> (WA), s 55 or s 56: <i>Limitation Act 2005</i> , s 6. See [5.10.1090].	3 years: s 14(1). Action accrues on date P becomes aware that he or she has sustained a significant personal injury, or of first symptom, clinical sign or other manifestation of such injury if earlier: s 55. See [5.10.1100].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of personal injury period	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
	Before 9/9/2003: Any period, if just and reasonable: s 36. See [5.10.880]. On or after 9/9/2003: No provision. See [5.10.880].	Before 1/9/1990: 1 year after material facts character within P's means of knowledge: s 58(2). See [5.10.890]. Between 1/9/1990 – 5/12/2002: Up to 5 years, if just and reasonable: s 60C. See [5.10.910]. On or after 6/12/2002: 12-year period: Up to 3 years from date of discoverability. 3-year period: No extension: s 62A. See [5.10.940].	Any period, if material facts not ascertained until 12 months before end of period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 44. See [5.10.960].	1 year after material facts character within P's means of knowledge: s 31(2). See [5.10.980] – [5.10.1000].	Any period, if material facts not ascertained until 12 months before end of limitation period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 48. See [5.10.960].	Before 1/1/2005: Up to 6 years, if just and reasonable: s 5(3). Alternatively, up to 3 years from date of discoverability, or up to 3 years from 1/1/2005, subject to certain conditions: s 38A. See [5.10.1020]. On or after 1/1/2005: 12-year period: Up to 3 years from date of discoverability. 3-year period: No extension: s 5A(5). See [5.10.1040].	Before 1/1/2005: Up to 6 years, if just and reasonable: s 5(3). Alternatively, up to 3 years from date of discoverability, or up to 3 years from 1/1/2005, subject to certain conditions: s 38A. See [5.10.1020]. On or after 1/1/2005: 12-year period: Up to 3 years from date of discoverability. 3-year period: No extension: s 5A(5). See [5.10.1040].	Between 11/5/1977 – 20/5/2003: Any period, if just and reasonable: s 23A. See [5.10.1060]. On or after 21/5/2003 (and as from 1/10/2003, all actions): Any period, if just and reasonable: s 27K. See [5.10.1080].	No provision.

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Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<p><i>Limitation Act 1985</i></p>	<p><i>Limitation Act 1969</i></p>	<p><i>Limitation Act 1981</i></p>	<p><i>Limitation of Actions Act 1974</i></p>	<p><i>Limitation of Actions Act 1936</i></p>	<p><i>Limitation Act 1974</i></p>	<p><i>Limitation of Actions Act 1958</i></p>	<p><i>Limitation Act 1935</i></p>	<p><i>Limitation Act 2005</i></p>
<p>Special provisions applicable to specific types of personal injury</p>	<p>On or after 9/9/2003: Disease or disorder: 3 years from date of discoverability: s 16B(2)(a). See [5.10.870].</p>	<p>Dust-related conditions: No limitation period: <i>Dust Diseases Tribunal Act 1989</i> (NSW), s 12A. See [5.10.900]. Before 5/12/2002: Latent injury, disease or impairment: Limitation period may be extended by any period, if just and reasonable: s 60G, Sch 5 Pt 1 cl 4. See [5.10.920].</p>	<p>Personal injury arising from a dust disease: No limitation period: s 12(2)(a).</p>	<p>Personal injury resulting from dust-related condition: No limitation period: s 11(2).</p>	<p>Latent injury: Limitation period begins to run when injury first comes to P's knowledge: See s 36(1a). See [5.10.950].</p>	<p>No provision.</p>	<p>Before 21/5/2003: Disease or disorder: Action accrues on date P first knows of injuries and that injuries were caused by some person: ss 5(1A), 39. See [5.10.1050]. On or after 21/5/2003 (and as from 1/10/2003, all actions): No limitation period for dust-related or tobacco smoke-related conditions: s 27B(2). See [5.10.1050].</p>	<p>Asbestos-related disease: Where P did not have knowledge of relevant facts before 1/1/1984, limitation period begins to run when P has knowledge of relevant facts: s 38A(6). See [5.10.1110].</p>	<p>Asbestos-related disease: Where P did not have knowledge of relevant facts before 1/1/1984, action accrues when P has knowledge of relevant facts: s 56. See [5.10.1110].</p>
<p>Road accidents</p>	<p>See [5.10.860].</p>	<p>See [5.10.900].</p>	<p>See [5.10.950].</p>	<p>See [5.10.970].</p>	<p>See [5.10.950].</p>	<p>See [5.10.1010].</p>	<p>See [5.10.1050].</p>	<p>See [5.10.1090].</p>	<p>See [5.10.1090].</p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Work accidents	See [5.10.860].	See [5.10.900].	See [5.10.950].	See [5.10.970].	See [5.10.950].	See [5.10.1010].	See [5.10.1050].	See [5.10.1090].	See [5.10.1090].
Wrongful death actions	3 years from death, or 6 years from wrongful act, whichever is longer: s 16. See [5.10.1140].	Before 1/9/1990: 6 years from death: s 19(1). See [5.10.1140]. Between 1/9/1990 – 5/12/2002: 3 years from death: s 19(1). See [5.10.1140]. On or after 6/12/2002: 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 50C. See [5.10.1140].	3 years from death: s 17. See [5.10.1140].	3 years from death: s 11. See [5.10.1140].	3 years from death: <i>Civil Liability Act 1936</i> (SA), s 25. See [5.10.1140].	Before 1/1/2005: 3 years from death: s 5(2). See [5.10.1140]. On or after 1/1/2005: 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 5A(3), (4). See [5.10.1140].	Between 11/5/1977 – 20/5/2003: 6 years from death: <i>Wrongs Act 1958</i> (Vic), s 20(1), except where death caused by disease or disorder, when action accrues on date P first knows of injuries and that injuries were caused by some person: s 20(1A). See [5.10.1140].	1 year from death: <i>Fatal Accidents Act 1959</i> (WA), s 7(1) (as in force prior to amendment). See [5.10.1140].	3 years from death: s 14(2). See [5.10.1140].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	Limitation Act 1985						Western Australia (before 15/11/2005)	Limitation Act 2005
Wrongful death actions – continued	New South Wales	Limitation Act 1969	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (on or after 15/11/2005)	

On or after 21/5/2003 (and as from 1/10/2003, all actions); 3 years from date of discoverability or 12 years from act or omission, whichever expires first: ss 27B, 27D. See [5.10.1140].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of wrongful death limitation period	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
	Up to 6 years from death: s 39. See [5.10.1160].	Before 1/9/1990: Where material facts of decisive character not within deceased's means of knowledge more than 1 year prior to death, court can disregard limitation period: s 60. See [5.10.1170]. In cases of latent injury, disease or impairment: Any period, if just and reasonable: Sch 5 Pt 1 cl 4. Between 1/9/1990 – 5/12/2002: Up to 5 years, if just and reasonable: s 60D. See [5.10.1170].	Any period, if material facts not ascertained until 12 months before end of period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 44. See [5.10.1150].	1 year after material facts of decisive character within P's means of knowledge: s 31(2). See [5.10.1150].	Any period, if material facts not ascertained until 12 months before end of period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 48. See [5.10.1150].	Before 1/1/2005: Up to 6 years, if just and reasonable: s 5(2), (3). Alternatively, up to 3 years from date of discoverability, or up to 3 years from 1/1/2005, subject to certain conditions: s 38A. See [5.10.1150]. On or after 1/1/2005: 12-year period: Up to 3 years from date of discoverability. 3-year extension: No amendment: s 5A(4), (5). See [5.10.1150].	Between 11/5/1977 – 20/5/2003: Any period, if just and reasonable: <i>Wrongs Act 1958</i> (Vic), s 20(2). See [5.10.1180]. On or after 21/5/2003 (and as from 1/10/2003, all actions): any period, if just and reasonable: s 27K. See [5.10.1180].	Up to 6 years from death, if D consents or court gives leave on ground that delay occasioned by mistake or other reasonable cause, or that prospective D not materially prejudiced, and court thinks it just to do so: <i>Fatal Accidents Act 1959</i> (WA), s 7(2) (as in force prior to amendment). See [5.10.1190].	Up to 3 years from when P became aware, or ought reasonably to have become aware, of physical cause of injury, or that attributable to conduct of D, or of D's identity, if court satisfied that when limitation period expired P not aware of matter in question: s 39. See [5.10.1150].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of wrongful death limitation period – <i>continued</i>	Limitation Act 1985	Limitation Act 1969 In cases of latent injury, disease or impairment: Any period, if just and reasonable: s 60H. See [5.10.1170]. On or after 6/12/2002: 12-year period: Up to 3 years from date of discoverability. 3-year period: No extension: s 62A. See [5.10.1170].	Limitation Act 1981	Limitation of Actions Act 1974	Limitation of Actions Act 1936	Limitation Act 1974	Limitation of Actions Act 1958	Limitation Act 1935 Further provisions for asbestos-related diseases: see [5.10.1190].	Limitation Act 2005
	<p>LAND: [5.10.1430] – [5.10.1610]</p>								
Actions to recover land	Title to land not extinguished by limitation statute. See [5.10.1440].	12 years: s 27(2). See [5.10.1430].	Title to land not extinguished by limitation statute. See [5.10.1440].	12 years: s 13. See [5.10.1430].	15 years: s 4. See [5.10.1430].	12 years: s 10(2). See [5.10.1430]. Option to purchase land: 1 year from date of grant: s 23A. See [5.10.1430].	15 years: s 8. See [5.10.1430].	12 years: s 4. See [5.10.1430].	12 years: s 19(1). See [5.10.1430].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Action by holder of future interest to recover land	<p><i>Limitation Act 1985</i></p> <p>Title to land not extinguished by limitation statute. See [5.10.1440].</p>	<p><i>Limitation Act 1969</i></p> <p>12 years: s 27(2). Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 31. See [5.10.1530].</p>	<p><i>Limitation Act 1981</i></p> <p>Title to land not extinguished by limitation statute. See [5.10.1440].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>12 years: s 13. Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 15(1). See [5.10.1530].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>15 years: s 4. Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 9. See [5.10.1530].</p>	<p><i>Limitation Act 1974</i></p> <p>12 years: s 10(2). Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 12(1). See [5.10.1530].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>15 years: s 8. Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 10(1). See [5.10.1530].</p>	<p><i>Limitation Act 1935</i></p> <p>12 years: s 4. Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 5(d). See [5.10.1530].</p>	<p><i>Limitation Act 2005</i></p> <p>12 years: s 19(1). Action accrues when P becomes entitled to immediate possession, if no person in possession under interest claimed: s 69. See [5.10.1530].</p>
Actions by holder of future interest to recover land in adverse possession	<p>Title to land not extinguished by limitation statute. See [5.10.1440].</p>	No provision.	<p>Title to land not extinguished by limitation statute. See [5.10.1440].</p>	<p>12 years from accrual to person entitled to preceding estate or interest, or 6 years from accrual to person entitled to succeeding estate or interest, whichever last expires: s 15(2). See [5.10.1530].</p>	No provision.	<p>12 years from accrual to person entitled to preceding estate or interest, or 6 years from accrual to person entitled to succeeding estate or interest, whichever last expires: s 12(2). See [5.10.1530].</p>	<p>15 years from accrual to person entitled to preceding estate or interest, or 6 years from accrual to person entitled to succeeding estate or interest, whichever last expires: s 10(2). See [5.10.1530].</p>	<p>12 years from accrual to person entitled to preceding estate or interest, or 6 years from accrual to person entitled to succeeding estate or interest, whichever last expires: s 7. See [5.10.1530].</p>	No provision.

TABLE OF LIMITATION OF ACTIONS

Cause of action									
Actions by tenant in tail	Title to land not extinguished by limitation statute. See [5.10:1440].	Entailed interests abolished. See [5.10:1540].	Title to land not extinguished by limitation statute. See [5.10:1440].	Entailed interests abolished. See [5.10:1540].	See [5.10:1540].	Tenant in tail who made assurance which fails to bar entail: 12 years from time assurance would have operated to bar entail: s 17. See [5.10:1540].	Entailed interests abolished. See [5.10:1540].	Entailed interests abolished. See [5.10:1540].	Entailed interests abolished. See [5.10:1540].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
Actions by the Crown to recover land	No provision. See [5.10.1570].	30 years: s 27(1). See [5.10.1570]. Action brought by person other than Crown where right first accrued to Crown: Applicable Crown limitation period, or 12 years from accrual to person other than Crown, whichever period first expires: s 27(4). See [5.10.1570].	Title not affected by adverse possession: s 6(4). See [5.10.1570].	Title not affected by adverse possession: s 6(4). See [5.10.1570].	60 years: <i>Crown Suits Act (Nullum Tempus Act) 1769 9 Geo 3 c 16 (GB)</i> . See [5.10.1570].	30 years: s 10(1). See [5.10.1570]. Action brought by person other than Crown where right first accrued to Crown: 12 years from accrual to person other than Crown: s 10(3). See [5.10.1570].	Title not affected by adverse possession: s 7. See [5.10.1570]. brought by person other than Crown where right first accrued to Crown: 15 years from accrual to person other than Crown: s 8. See [5.10.1570].	Title not affected by adverse possession: s 36. See [5.10.1570].	No limitation period: s 19(2). See [5.10.1570]. Title not affected by adverse possession: s 76. See [5.10.1570].
Actions to recover arrears of rent, or damages in respect of arrears	6 years: s 11(1) (general limitation period). See [5.10.1610].	6 years: s 24(1). See [5.10.1610].	3 years: s 22(1). See [5.10.1610].	6 years from when arrears become due: s 25. See [5.10.1610].	6 years from when arrears become due: s 35(d) – but 15 years for lease under seal: s 34. See [5.10.1610].	6 years from when arrears become due: s 22. See [5.10.1610].	6 years from when arrears become due: s 19. See [5.10.1610].	6 years from when arrears become due: s 34 – but 12 years for lease under seal: s 38(1)(d). See [5.10.1610].	6 years: s 13(1) (general limitation period). See [5.10.1610].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
MORTGAGES: [5.10.1620] – [5.10.1670]									
Actions by mortgagor to redeem	Land and personally: 12 years from date mortgage last went into possession, or last received payment of principal or interest: s 23. See [5.10.1630].	Land and personally: 12 years from date mortgage last went into possession, or last received payment of principal or interest: s 41. See [5.10.1630].	Land and personally: 12 years from date mortgage last went into possession, or last received payment of principal or interest: s 26. See [5.10.1630].	Land: 12 years from date mortgage last went into possession: s 20. See [5.10.1630].	Land: 15 years from date mortgage last went into possession: s 27(1). See [5.10.1630].	Land: 12 years from date mortgage last went into possession: s 18. See [5.10.1630].	Land: 15 years from date mortgage last went into possession: s 15. See [5.10.1630].	Land: 12 years from date mortgage last went into possession: s 29. See [5.10.1630].	Land and personally: 12 years from date mortgage last went into possession, or last received payment of principal or interest: s 25. See [5.10.1630].

Cause of action									
Actions by mortgagee to recover possession	Land and personality: 12 years: s 24(1)(b). See [5.10.1640].	Land and personality: 12 years: s 42(1)(b). See [5.10.1640].	Land and personality: 12 years: s 27(1)(b). See [5.10.1640].	Land: 12 years: s 13. See [5.10.1640]. Personality: 6 years period for conversion): s 10(1)(a). See [5.10.1640].	Land: 15 years: s 12. See [5.10.1640]. Personality: 6 years period for conversion): s 35(c). See [5.10.1640].	Land: 12 years: s 10(2). See [5.10.1640]. Personality: 6 years period for conversion): s 4(1)(a). See [5.10.1640].	Land: 15 years: s 8. See [5.10.1640]. Personality: 6 years period for conversion): s 5(1)(a). See [5.10.1640].	Land: 12 years: s 35. See [5.10.1640]. Personality: 6 years period for conversion): s 38(1)(c)(iv). See [5.10.1640].	Land, or land and personally combined: 12 years: s 23. Personality (within a deed): 12 years: s 18 (deed limitation period). Personality (not within a deed): 6 years: s 13(1) (general limitation period). See [5.10.1640].

TABLE OF LIMITATION OF ACTIONS

Cause of action									
Actions by mortgagee to foreclose	<p>Land and personality: 12 years: s 24(1)(c). See [5.10.1650].</p>	<p>Land and personality: 12 years: s 27(1)(c). See [5.10.1650].</p>	<p>Land: 12 years: s 13. See [5.10.1650]. Personality: 12 years: s 26(2). See [5.10.1650].</p>	<p>Land: 15 years: s 4. See [5.10.1650]. Personality: No limitation period. See [5.10.1650].</p>	<p>Land: 12 years: s 10(2). See [5.10.1650]. Personality: 12 years: s 23(2). See [5.10.1650].</p>	<p>Land: 15 years: s 8. See [5.10.1650]. Personality: 15 years: s 20(2). See [5.10.1650].</p>	<p>Land: 12 years: s 4. See [5.10.1650]. Personality: No limitation period. See [5.10.1650].</p>	<p>Land, or land and personality combined: 12 years: s 24. Personality (within a deed): 12 years: s 18 (deed limitation period). Personality (not within a deed): 6 years: s 13(1) (general limitation period). See [5.10.1650].</p>	<p>Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i></p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Actions by mortgagee to recover principal money	<p><i>Limitation Act 1985</i></p> <p>Land and personality: 12 years: s 24(1)(a). See [5.10.1660].</p>	<p><i>Limitation Act 1969</i></p> <p>Land and personality: 12 years: s 42(1)(a). See [5.10.1660].</p>	<p><i>Limitation Act 1981</i></p> <p>Land and personality: 12 years: s 27(1)(a). See [5.10.1660].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>Land and personality: 12 years: s 26(1). See [5.10.1660].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>Land: 15 years after present right to receive accrues: s 33(1). See [5.10.1660]. Personality (within a deed): 15 years: s 34 (deed limitation period). See [5.10.1660]. Personality (not within a deed): 6 years: s 35(a). See [5.10.1660].</p>	<p><i>Limitation Act 1974</i></p> <p>Land and personality: 12 years: s 23(1). See [5.10.1660].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>Land and personality: 15 years: s 20(1). See [5.10.1660].</p>	<p><i>Limitation Act 1935</i></p> <p>Land: 12 years after present right to receive accrues: s 32(1). See [5.10.1660]. Personality (within a deed): 12 years: s 18 (deed limitation period). Personality (not within a deed): 6 years: s 13(1) (general limitation period). See [5.10.1660].</p>	<p><i>Limitation Act 2005</i></p> <p>Land, or land and personality combined: 12 years: s 20. Personality (within a deed): 12 years: s 18 (deed limitation period). Personality (not within a deed): 6 years: s 13(1) (general limitation period). See [5.10.1660].</p>

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Actions by mortgagee to recover interest	<p><i>Limitation Act 1985</i></p> <p>6 years from accrual (or date prior mortgage discontinues possession) or when limitation period for action to recover principal expires, whichever period first expires: s 25(1). See [5.10.1670].</p>	<p><i>Limitation Act 1969</i></p> <p>6 years from accrual (or date prior mortgage discontinues possession) or when limitation period for action to recover principal expires, whichever period first expires: s 43(1). See [5.10.1670].</p>	<p><i>Limitation Act 1981</i></p> <p>3 years from accrual (or date prior mortgage discontinues possession) or when limitation period for action to recover principal expires, whichever period first expires: s 28(1). See [5.10.1670].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>6 years from date on which interest became due: s 26(5). See [5.10.1670].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>Land: 6 years after interest becomes due: s 35(e). See [5.10.1670]. Personality (within a deed): 15 years: s 34 (deed limitation period). See [5.10.1670]. Personality (not within a deed): 6 years: s 35(a). See [5.10.1670].</p>	<p><i>Limitation Act 1974</i></p> <p>6 years from date on which interest became due: s 4(5). See [5.10.1670].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>6 years from date on which interest became due: s 5(7). See [5.10.1670].</p>	<p><i>Limitation Act 1935</i></p> <p>Land: 6 years after interest becomes due: s 34. See [5.10.1670]. Personality (within a deed): 20 years: s 38(1)(e)(i) (deed limitation period). See [5.10.1670]. Personality (not within a deed): 6 years: s 38(1)(c)(i). See [5.10.1670].</p>	<p><i>Limitation Act 2005</i></p> <p>Land, or land and personality combined: 6 years from accrual (or date prior mortgage discontinues possession, if later) or when limitation period under s 20 for action to recover principal expires, whichever period first expires: s 21. See [5.10.1670].</p>

Cause of action	Australian Capital Territory	Limitation Act 1985	New South Wales	Limitation Act 1969	Northern Territory	Limitation Act 1981	Queensland	Limitation of Actions Act 1974	South Australia	Limitation of Actions Act 1936	Actions by mortgagee to recover interest – <i>continued</i>
	Victoria	Limitation of Actions Act 1958	Tasmania	Limitation Act 1974	Western Australia (before 15/11/2005)	Limitation Act 1935	Western Australia (on or after 15/11/2005)	Limitation Act 2005			Personally: 6 years from accrual (or 1 year after date prior mortgagee discontinues possession, if later) or when limitation period for action to recover principal expires, whichever period first expires: s 22.

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
	TRUSTS: [5.10.1680] – [5.10.1690]								
Actions by a beneficiary against a trustee to recover trust property, or for breach of trust	6 years: s 11(1) (general limitation period). See [5.10.1680].	6 years: s 48. See [5.10.1680].	3 years: s 33. See [5.10.1680].	6 years: s 27(2). See [5.10.1680].	Same period as if person were not trustee or person claiming through trustee: s 32(1). See [5.10.1680]. Claims by a beneficiary against a trustee in respect of property held on an express trust, or in respect of breach of express trust: No limitation period: s 31. See [5.10.1690].	6 years: s 24(2). See [5.10.1680].	6 years: s 21(2). See [5.10.1680].	Same period as if person were not trustee or person claiming through trustee: s 47(1). See [5.10.1680]. Claims by a beneficiary against a trustee in respect of property held on an express trust, or in respect of breach of express trust: No limitation period: <i>Supreme Court Act 1935 (WA)</i> , s 25(2) (now repealed). See [5.10.1690].	6 years: s 13(1) (general limitation period). See [5.10.1680].

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Actions in respect of fraud or fraudulent breach of trust, and actions to recover trust property converted by a trustee	12 years from date of discoverability, or expiration of any other applicable limitation period under <i>Limitation Act 1985</i> (ACT), whichever is later: s 27(1). See [5.10.1700].	12 years from date of discoverability, or expiration of any other applicable limitation period under <i>Limitation Act 1969</i> (NSW), whichever is later: s 47(1). See [5.10.1700].	12 years from date of discoverability, or expiration of any other applicable limitation period under <i>Limitation Act 1981</i> (NT), whichever is later: s 32(1). See [5.10.1700].	No limitation period: s 27(1). See [5.10.1690].	No limitation period: s 32(1). See [5.10.1690].	No limitation period: s 24(1). See [5.10.1690].	No limitation period: s 21(1). See [5.10.1690].	No limitation period: s 47(1). See [5.10.1690].	6 years: s 13(1) (general limitation period), but court can extend period up to 3 years from when action ought reasonably to have been commenced if failure to commence action attributable to fraud or other improper conduct: s 38. See [5.10.1700].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
DECEASED ESTATES: [5.10.1710]									
Actions claiming the personal estate of the deceased, under will or on intestacy	6 years: s 11(1) (general limitation period). See [5.10.1710].	6 years: s 48 (breach of trust limitation period). See [5.10.1710].	3 years: s 33 (breach of trust limitation period). See [5.10.1710].	12 years (subject to fraud provisions): s 28. See [5.10.1710].	Claim for personality under legacy in will: 15 years: s 33(1). See [5.10.1710].	12 years (subject to fraud provisions): s 25. See [5.10.1710].	15 years (subject to fraud provisions): s 22. See [5.10.1710].	Claim for personality under legacy in will: 12 years: s 32(1). See [5.10.1710]. Claim for personality on intestacy: 12 years: s 33. See [5.10.1710].	6 years: s 13(1) (general limitation period). See [5.10.1710].
Actions to recover arrears of interest in respect of legacy, or damages in respect of arrears	6 years: s 11(1) (general limitation period). See [5.10.1710].	6 years: s 24(1). See [5.10.1710].	3 years: s 22(1). See [5.10.1710].	6 years from when interest became due: s 28. See [5.10.1710].	6 years from when interest became due: s 35(e). See [5.10.1710].	6 years from when interest became due: ss 4(5), 25. See [5.10.1710].	6 years from when interest became due: s 5(7). See [5.10.1710].	6 years from when interest became due: s 34. See [5.10.1710].	6 years: s 13(1) (general limitation period). See [5.10.1710].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
ADMIRALTY ACTIONS: [5.10.1820] – [5.10.1822]									
Maritime claims generally	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].	Limitation period that would have been applicable if proceeding brought otherwise than under <i>Admiralty Act 1988</i> (Cth), or 3 years from when cause of action arose (but may be extended in certain circumstances) – <i>Admiralty Act 1988</i> (Cth), s 37. See [5.10.1820].

TABLE OF LIMITATION OF ACTIONS

Cause of action	<p>Actions to enforce claim or lien against ship or shipowner in respect of damage to another ship, its cargo or freight, any property on board, or loss of life or personal injury suffered by anyone on board</p>	<p>Australian Capital Territory <i>Limitation Act 1985</i></p> <p>2 years from date of damage (but can be extended to such extent as court thinks fit): s 19(1), (3). See [5.10.1821].</p>	<p>New South Wales <i>Limitation Act 1969</i></p> <p>2 years from date of damage (but can be extended to such extent as court thinks fit): s 22(2), (4). See [5.10.1821].</p>	<p>Northern Territory <i>Limitation Act 1981</i></p> <p>2 years from date of damage (but can be extended to such extent as court thinks fit): s 20(3), (5). See [5.10.1821].</p>	<p>Queensland <i>Limitation of Actions Act 1974</i></p> <p><i>Admiralty Act 1988</i> (Cth), s 37 applies. See above and [5.10.1821].</p>	<p>South Australia <i>Limitation of Actions Act 1936</i></p> <p><i>Admiralty Act 1988</i> (Cth), s 37 applies. See above and [5.10.1821].</p>	<p>Tasmania <i>Limitation Act 1974</i></p> <p>2 years from date of damage (but can be extended to such extent as court thinks fit): s 8(2), (4). See [5.10.1821].</p>	<p>Victoria <i>Limitation of Actions Act 1958</i></p> <p><i>Admiralty Act 1988</i> (Cth), s 37 applies. See above and [5.10.1821].</p>	<p>Western Australia (before 15/11/2005) <i>Limitation Act 1935</i></p> <p>2 years from date of damage (but can be extended to such extent as court thinks fit): <i>Supreme Court Act 1935</i> (WA), s 29 (now repealed). See [5.10.1821].</p>	<p>Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i></p> <p><i>Admiralty Act 1988</i> (Cth), s 37 applies. See above and [5.10.1821].</p>
<p>Actions to enforce claim or lien in respect of salvage services</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 19(2), (3). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 20(4), (5). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>	<p>2 years from date services rendered (but can be extended to such extent as court thinks fit): s 8(3), (4). See [5.10.1821].</p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
MISCELLANEOUS: [5.10.1870], [5.10.1910] – [5.10.2040]									
Actions for an account	Limitation period for cause of action that is basis of duty to account applies: s 12. See [5.10.730].	6 years: s 15. See [5.10.730].	3 years: s 13. See [5.10.730].	6 years: s 10(2). See [5.10.730].	6 years: s 35(b). See [5.10.730].	6 years: s 4(2). See [5.10.730].	6 years: s 5(2). See [5.10.730].	6 years: s 38(1)(c)(ii) (between merchants), s 38(1)(c)(iii) (other cases). See [5.10.730].	Limitation period for cause of action that is basis of duty to account applies: s 26. See [5.10.730].
Arbitrations	Limitation period fixed by <i>Limitation Act 1885</i> (ACT) for action in respect of same matter applies: s 47. See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1969</i> (NSW) for action in respect of same matter applies: s 70. See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1981</i> (NT) for action in respect of same matter applies: s 46. See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1974</i> (Qld) for action in respect of same matter applies: s 41(1). See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1936</i> (SA) for action in respect of same matter applies: s 3 (definition of “action”). See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1974</i> (Tas) for action in respect of same matter applies: s 33(1). See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1958</i> (Vic) for action in respect of same matter applies: s 28(1). See [5.10.1860].	Limitation period fixed by <i>Limitation Act 1935</i> (WA) for action in respect of same matter applies: s 3 (definition of “action”). See [5.10.1860].	Limitation period fixed by <i>Limitation Act 2005</i> (WA) for civil proceeding in respect of same matter applies: s 29. See [5.10.1860].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of limitation period for arbitration	Limitation Act 1985	Limitation Act 1969	Limitation Act 1981	Limitation of Actions Act 1974	Limitation of Actions Act 1936	Limitation Act 1974	Limitation of Actions Act 1958	Limitation Act 1935	Limitation Act 2005
	No provision. See [5.10.1860].	In stated circumstances, court can order that time between commencement of arbitration and making of order should not count in reckoning of limitation period: s 73. See [5.10.1860].	Any period, if material facts not ascertained until 12 months before end of period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 48. See [5.10.1860].	In stated circumstances, court can order that time between commencement of arbitration and making of order should not count in reckoning of limitation period: s 41(5). See [5.10.1860].	Any period, if material facts not ascertained until 12 months before end of limitation period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 48. See [5.10.1860].	In stated circumstances, court can order that time between commencement of arbitration and making of order should not count in reckoning of limitation period: s 33(5). See [5.10.1860].	In stated circumstances, court can order that time between commencement of arbitration and making of order should not count in reckoning of limitation period: s 28(5). See [5.10.1860].	No provision. See [5.10.1860].	In stated circumstances, court can order that time between commencement of arbitration and making of order should not count in reckoning of limitation period: s 54. See [5.10.1860].

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Contribution and indemnity between joint tortfeasors	2 years from accrual to tortfeasor, or 4 years from expiry of limitation period for principal cause of action, whichever period expires first: s 21(1). See [5.10.1260].	2 years from accrual to tortfeasor, or 4 years from expiry of limitation period for principal cause of action, whichever period expires first: s 26(1). See [5.10.1260].	2 years from accrual to tortfeasor, or 4 years from expiry of limitation period for principal cause of action, whichever period expires first: s 24(1). See [5.10.1260].	2 years from accrual to tortfeasor, or 4 years from expiry of limitation period for principal cause of action, whichever period expires first: s 40(1). See [5.10.1260].	Within period in which P could have brought action against person from whom contribution is sought, or 2 years after final determination of damages payable by person entitled to contribution, whichever is the longer: <i>Law Reform (Contributory Negligence and Apportionment of Liability) Act 2001</i> (SA), s 6(4). See [5.10.1260].	12 months after writ in original action served on D: <i>Wrongs Act 1954</i> (Tas), s 3(5). See [5.10.1260].	Within period in which action against tortfeasor may have been commenced, or 12 months after writ served on that person, whichever is the longer: <i>Wrongs Act 1958</i> (Vic), s 24(4). See [5.10.1260].	6 years (by virtue of being treated as action on the case): s 38(1)(c)(vii). See [5.10.1260].	2 years: s 17. Action accrues when judgment given or award made, or at date of agreement fixing amount of liability: s 58. See [5.10.1260].

TABLE OF LIMITATION OF ACTIONS

	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Cause of action	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
Actions against the Crown	See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: s 10(1). See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: s 6(1). See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: s 6(1). See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: <i>Crown Proceedings Act 1992</i> (SA), s 11. See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: s 37(1). See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: s 32(1). See [5.10.1870].	1 year, or 6 years if Attorney-General consents or court grants leave: <i>Crown Suits Act 1947</i> (WA), s 6 (now repealed). See [5.10.1870].	Limitation period fixed by Limitation Act for action against private defendant applies: s 10(1). See [5.10.1870].
Actions against public authorities	No provision. See [5.10.1880].	No provision. See [5.10.1880].	No provision. See [5.10.1880].	No provision. See [5.10.1880].	No provision. See [5.10.1880].	No provision. See [5.10.1880].	No provision. See [5.10.1880].	1 year, or 6 years if Attorney-General consents or court grants leave: s 47A. See [5.10.1880].	No provision. See [5.10.1880].

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Actions to recover arrears of interest	6 years: s 11(1) (general limitation period). See [5.10.1310].	Arrears of income: 6 years: s 24(1). See [5.10.1310].	Arrears of income: 3 years: s 22(1). See [5.10.1310].	No general provision, but some specific limitation periods for particular forms of interest. See [5.10.1310].	Arrears of interest in respect of sum of money charged on land or rent, or arrears of interest in respect of any legacy, or action for damages in respect of such arrears: 6 years: s 35(e), (f). See [5.10.1310].	6 years: s 4(5). See [5.10.1310].	6 years: s 5(7). See [5.10.1310].	Arrears of interest in respect of sum of money charged on land or rent, or arrears of interest in respect of any legacy, or action for damages in respect of such arrears: 6 years: s 34. See [5.10.1310]. Arrears of interest in respect of any sum of money, or damages in respect of such arrears: 6 years: s 38(1) (proviso). See [5.10.1310].	6 years: s 13(1) (general limitation period). See [5.10.1310].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
Actions on a judgment	12 years from date judgment became enforceable; s 14(1). See [5.10.1270].	12 years from date judgment became enforceable; s 17(1). See [5.10.1270].	12 years from date judgment became enforceable; s 15(1). See [5.10.1270].	12 years from date judgment became enforceable; s 10(4). See [5.10.1270].	15 years from recovery of judgment; s 34. See [5.10.1270].	12 years from date judgment became enforceable; s 4(4). See [5.10.1270].	15 years from date judgment became enforceable; s 5(4). See [5.10.1270].	12 years from date right to receive judgment accrued; s 32(1). See [5.10.1270].	6 years; s 13(1) (general limitation period). See [5.10.1270].
Actions to enforce an arbitral award (where agreement to arbitrate not under seal)	6 years; s 17. Action accrues when default in observance of award first occurs; s 17(3). See [5.10.1280].	6 years; s 20. Action accrues when default in observance of award first occurs; s 20(3). See [5.10.1280].	3 years; s 18. Action accrues when default in observance of award first occurs; s 18(3). See [5.10.1280].	6 years; s 10(1)(c). See [5.10.1280].	6 years; s 35(a). See [5.10.1280].	6 years; s 4(1)(c). See [5.10.1280].	6 years; s 5(1)(c). See [5.10.1280].	6 years; s 38(1)(c)(i). See [5.10.1280].	6 years; s 13(1) (general limitation period). Action accrues when default in observance of award first occurs; s 64. See [5.10.1280].
Actions to enforce an arbitral award (where agreement to arbitrate made under seal)	12 years; s 17. Action accrues when default in observance of award first occurs; s 17(3). See [5.10.1280].	12 years; s 20. Action accrues when default in observance of award first occurs; s 20(3). See [5.10.1280].	12 years; s 18. Action accrues when default in observance of award first occurs; s 18(3). See [5.10.1280].	12 years; s 10(3) (deed limitation period). See [5.10.1280].	15 years; s 34 (deed limitation period). See [5.10.1280].	12 years; s 4(3) (deed limitation period). See [5.10.1280].	15 years; s 5(3) (deed limitation period). See [5.10.1280].	20 years; s 38(1)(e)(i) (deed limitation period). See [5.10.1280].	12 years; s 18 (deed limitation period). Action accrues when default in observance of award first occurs; s 64. See [5.10.1280].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
Actions to enforce a recognisance	6 years: s 11(1) (general limitation period). See [5.10.1290].	6 years: s 14(1)(c). See [5.10.1290].	3 years: s 12(1)(c). See [5.10.1290].	6 years: s 10(1)(b). See [5.10.1290].	6 years: s 35(h) ("for an escape"). See [5.10.1290].	6 years: s 4(1)(b). See [5.10.1290].	6 years: s 5(1)(b). See [5.10.1290].	20 years: s 38(1)(e)(ii). See [5.10.1290].	6 years: s 13(1) (general limitation period). See [5.10.1290].
Actions to recover a penalty or other sum forfeited or recoverable by virtue of an enactment	2 years: s 15(1). See [5.10.1300].	2 years: s 18(1). See [5.10.1300].	2 years: s 16(1). See [5.10.1300].	2 years: s 10(5). See [5.10.1300].	No provision. See [5.10.1300].	2 years: s 4(6). See [5.10.1300].	2 years: s 5(5)(a). See [5.10.1300].	Action for forfeiture on penal statute: Where forfeiture or benefit limited to Crown: s 37(1). Where forfeiture or benefit limited to Crown and any person who prosecutes in that behalf: 1 year; in default Crown can commence proceedings within 2 years of ending of that year: s 37(2).	6 years: s 13(1) (general limitation period). See [5.10.1300].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
<p>Actions to recover a penalty or forfeiture or other sum recoverable by virtue of an enactment – <i>continued</i></p>	<p><i>Limitation Act 1985</i></p>	<p><i>Limitation Act 1969</i></p>	<p><i>Limitation Act 1981</i></p>	<p><i>Limitation of Actions Act 1974</i></p>	<p><i>Limitation of Actions Act 1936</i></p>	<p><i>Limitation Act 1974</i></p>	<p><i>Limitation of Actions Act 1958</i></p>	<p><i>Limitation Act 1935</i></p> <p>Where forfeiture or benefit limited to person who prosecutes in that behalf: 1 year: s 37(3), Action for penalty, damages or other sum given by statute to P; 2 years: s 38(1)(a)(i). See [5.10.1300].</p>	<p><i>Limitation Act 2005</i></p>
<p>Actions to recover sum recoverable by virtue of an enactment (other than penalty or forfeiture or sum by way of penalty or forfeiture)</p>	<p>6 years: s 11(1) (general limitation period). See [5.10.1300].</p>	<p>6 years: s 14(1)(d). See [5.10.1300].</p>	<p>3 years: s 12(1)(d). See [5.10.1300].</p>	<p>6 years: s 10(1)(d). See [5.10.1300].</p>	<p>No provision. See [5.10.1300].</p>	<p>6 years: s 4(1)(d). See [5.10.1300].</p>	<p>6 years: s 5(1)(d). See [5.10.1300].</p>	<p>Will depend upon nature of the action. See [5.10.1300].</p>	<p>6 years: s 13(1) (general limitation period). See [5.10.1300].</p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Personal injury action surviving for benefit of estate of deceased person	<p><i>Limitation Act 1985</i></p> <p>Before 9/9/2003: s 11(1) (general limitation period), see also s 100. See [5.10.1830]. On or after 9/9/2003: 3 years from date of injury: s 16B(2)(b). See [5.10.1830].</p>	<p><i>Limitation Act 1969</i></p> <p>Before 1/9/1990: 6 years: s 14(1)(b) (general tort limitation period). See [5.10.1830]. Between 1/9/1990 – 5/12/2002: 3 years: s 18A. See [5.10.1830]. On or after 5/12/2002: 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 50C. See [5.10.1830].</p>	<p><i>Limitation Act 1981</i></p> <p>3 years: s 12(1)(b) (general tort limitation period). See [5.10.1830].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>3 years: s 11. See [5.10.1830].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>3 years: s 36(1). See [5.10.1830].</p>	<p><i>Limitation Act 1974</i></p> <p>Before 1/1/2005: 3 years: s 5(1). See [5.10.1830]. On or after 1/1/2005: 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 5A(3). See [5.10.1830].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>Before 5/11/2002: 6 years: s 5(1)(a) (general tort limitation period). See [5.10.1830]. Between 5/11/2002 – 20/5/2003: 3 years: ss 5(1A), 39. See [5.10.1830]. On or after 21/5/2003 (and as from 1/10/2003, all actions): 3 years from date of discoverability or 12 years from act or omission, whichever expires first: s 27D. See [5.10.1830].</p>	<p><i>Limitation Act 1935</i></p> <p>6 years: s 38(1)(c)(vi), but cause of action no longer accrues on suffering of damage, but according to rules in <i>Limitation Act 2005</i> (WA), s 55 or s 56: <i>Limitation Act 2005</i>, s 6. See [5.10.1830].</p>	<p><i>Limitation Act 2005</i></p> <p>3 years: s 14(1). Action accrues on death: s 57. See [5.10.1830].</p>

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of period for personal injury action surviving for benefit of estate of deceased person	<p><i>Limitation Act 1985</i></p> <p>Up to 6 years from death, if just and reasonable: s 38. See [5.10.1840].</p>	<p><i>Limitation Act 1969</i></p> <p>Before 1/9/1990: 1 year after material facts character within P's means of knowledge: s 59. See [5.10.1840]. Between 1/9/1990 – 5/12/2002: Up to 5 years, if just and reasonable: s 60C. See [5.10.1840]. On or after 6/12/2002: 12-year period: Up to 3 years from date of discoverability. 3-year period: No extension: s 62A. See [5.10.1840].</p>	<p><i>Limitation Act 1981</i></p> <p>Any period, if material facts not ascertained until 12 months before end of period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 44. See [5.10.1840].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>1 year after material facts character within P's means of knowledge: s 32. See [5.10.1840].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>Any period, if material facts not ascertained until 12 months before end of limitation period or after end of period, or failure to sue due to representations or conduct of D, and it is just to grant extension: s 48. See [5.10.1840]. Extend by period equal to period between death and grant of probate, or 1 year, whichever is lesser: s 46A. See [5.10.1840].</p>	<p><i>Limitation Act 1974</i></p> <p>Before 1/1/2005: Up to 6 years, if just and reasonable: s 5(3). Alternatively, up to 3 years from date of discoverability, or up to 3 years from 1/1/2005, subject to certain conditions: s 38A. See [5.10.1840]. On or after 1/1/2005: 12-year period: Up to 3 years from date of discoverability. 3-year period: No extension: s 5A(6). See [5.10.1840].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>Between 1/5/1977 – 20/5/2003: Any period if just and reasonable: s 23A. See [5.10.1840]. On or after 21/5/2003 (and as from 1/10/2003, all actions): Any period if just and reasonable: s 27K. See [5.10.1840].</p>	<p><i>Limitation Act 1935</i></p> <p>No provision.</p>	<p><i>Limitation Act 2005</i></p> <p>Up to 3 years from when P became aware, or ought reasonably to have become aware, of physical cause of injury, or that injury attributable to conduct of D, or of D's identity, if court satisfied that when limitation period expired P not aware of matter in question: s 39. See [5.10.1840].</p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
Cause of action in tort surviving against estate of deceased person	Same period as if deceased had survived. See [5.10.1830].	Same period as if deceased had survived. See [5.10.1830].	Unless proceedings pending at date of death, 1 year after cause of action arose and 1 year after grant of probate or administration: <i>Law Reform (Miscellaneous Provisions) Act 1956</i> (NT), s 7(1). See [5.10.1830].	Same period as if deceased had survived. See [5.10.1830].	Unless proceedings pending at date of death, 6 months after cause of action arose and 6 months after grant of probate or administration: <i>Survival of Causes of Action Act 1940</i> (SA), s 4. See [5.10.1830].	Unless proceedings pending at date of death, 1 year after cause of action arose and 6 months after grant of probate or administration: <i>Administration and Probate Act 1935</i> (Tas), s 27(5). See [5.10.1830].	Same period as if deceased had survived. See [5.10.1830].	Unless proceedings pending at date of death, 1 year after cause of action arose and 6 months after grant of probate or administration, or 1 year after death, whichever is the later: <i>Law Reform (Miscellaneous Provisions) Act 1941</i> (WA), s 4(3) (now repealed). See [5.10.1830].	Same period as if deceased had survived. See [5.10.1830].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Extension of period for action against estate of deceased person	<p><i>Limitation Act 1985</i></p> <p>Restrictions on court's power to extend: s 37. See [5.10.1850].</p>	<p><i>Limitation Act 1969</i></p> <p>No provision. See [5.10.1850].</p>	<p><i>Limitation Act 1981</i></p> <p>Any period: if material facts not ascertained until 12 months before end of period of limitation or after end of period, or failure to sue due to representations or conduct of D, and just to grant extension: s 44; or (for certain actions) within such further period as Supreme Court allows: <i>Law Reform (Miscellaneous Provisions) Act 1956</i> (NT), s 7(1). See [5.10.1850].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>No provision. See [5.10.1850].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>Any period, if material facts not ascertained until 12 months before end of period of limitation or after end of period, or failure to sue due to representations or conduct of D, and just to grant extension: s 48. See [5.10.1850].</p>	<p><i>Limitation Act 1974</i></p> <p>Such further period as justice of case may require: <i>Administration and Probate Act 1935</i> (Tas), s 27(6). See [5.10.1850].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>In personal injury cases, such period as court decides is just and reasonable: <i>Administration and Probate Act 1958</i> (Vic), s 29(3)(b)(ii). See [5.10.1850].</p>	<p><i>Limitation Act 1935</i></p> <p>Such further period as justice of case may require: <i>Law Reform (Miscellaneous Provisions) Act 1941</i> (WA), s 4(3) (now repealed). See [5.10.1850].</p>	<p><i>Limitation Act 2005</i></p> <p>No provision. See [5.10.1850].</p>

Cause of action	Australian Capital Territory	<i>Limitation Act 1985</i>	6 months after tax paid: s 21A(1). See [5.10.1890].
	New South Wales	<i>Limitation Act 1969</i>	12 months after tax paid: <i>Recovery of Imposts Act 1963</i> (NSW), s 2(1)(b). See [5.10.1890].
	Northern Territory	<i>Limitation Act 1981</i>	6 months after tax paid: s 35D(1). See [5.10.1890].
	Queensland	<i>Limitation of Actions Act 1974</i>	12 months after tax paid: s 10A(1). See [5.10.1890].
	South Australia	<i>Limitation of Actions Act 1936</i>	6 months after tax paid: s 38(2). See [5.10.1890].
	Tasmania	<i>Limitation Act 1974</i>	12 months after tax paid: s 25D(2). See [5.10.1890].
	Victoria	<i>Limitation of Actions Act 1958</i>	12 months after tax paid: s 20A(1). See [5.10.1890].
	Western Australia (before 15/11/2005)	<i>Limitation Act 1935</i>	12 months after tax paid: s 37A(1). See [5.10.1890].
	Western Australia (on or after 15/11/2005)	<i>Limitation Act 2005</i>	12 months after tax paid: s 28(1). See [5.10.1890].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)	
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>	
EFFECT OF MINORITY OR OTHER DISABILITY: [5.10.2010] – [5.10.2140]										
Effect of disability (other than specific provisions set out below)	Limitation period is suspended during disability. If would otherwise expire less than 3 years after P ceased to be disabled or died, limitation period expires 3 years after cessation of disability or death: s 30(1). See [5.10.2030].	Limitation period is suspended during disability. If would otherwise expire less than 3 years after P ceased to be disabled or died, limitation period expires 3 years after cessation of disability or death: s 52(1). Subject to general ultimate period of 30 years: s 51. See [5.10.2030].	Limitation period is suspended during disability. If would otherwise expire less than 3 years after P ceased to be disabled or died, limitation period expires 3 years after cessation of disability or death: s 36(1). Subject to ultimate period of 30 years: s 36(4). See [5.10.2030].	Limitation period does not commence until disability ceases. Limitation period is 6 years from date P ceased to be disabled or died, except in actions for personal injury or death, where limitation period is 3 years: s 29(1), (2)(c). Actions to recover land are subject to an ultimate period of 30 years: s 29(2)(b). See [5.10.2020].	Limitation period is suspended during disability, and is extended by period for which disability exists after time at which right to bring action arose: s 45(1). Subject to an ultimate period of 30 years: s 45(3). See [5.10.2030].	Limitation period does not commence until disability ceases. Limitation period is 6 years from date P ceased to be disabled or died, except where applicable limitation period is less than 3 years then it is that lesser period: s 26(1). Actions to recover land are subject to an ultimate period of 30 years: s 26(4). See [5.10.2020].	Limitation period does not commence until disability ceases. Limitation period is 6 years from date P ceased to be disabled or died, except where applicable limitation period is less than 3 years then it is that lesser period: s 23(1). Actions to recover land are subject to an ultimate period of 30 years: s 23(1)(c). See [5.10.2020].	Common law actions: Limitation period does not commence until disability ceases: s 40. See [5.10.2020]. Actions to recover land: Limitation period is 6 years from date P ceased to be disabled or died: s 16. Subject to an ultimate period of 30 years: s 18. See [5.10.2020].	Common law actions: Limitation period does not commence until disability ceases: s 40. See [5.10.2020]. Actions to recover land: Limitation period is 6 years from date P ceased to be disabled or died: s 16. Subject to an ultimate period of 30 years: s 18. See [5.10.2020].	Minors: P is under 15 when action accrues: Limitation period is 6 years (unless longer limitation period applies): s 30. See [5.10.2040]. P is 15, 16 or 17 when action accrues: Action cannot be commenced if P has reached 21 (unless longer limitation period applies): s 31. See [5.10.2040].

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Effect of disability (other than specific provisions set out below) – <i>continued</i>	P is under 18 when action accrues: If P is without guardian any time between accrual and reaching age 18, time when P is without guardian does not count in reckoning of limitation period. Action cannot be commenced if P has reached 21, or any longer limitation period applicable has expired: s 32.								

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Effect of disability (other than specific provisions set out below) – <i>continued</i>	Court can extend limitation period up to when P reaches 21: s 41. See [5.10.2040]. Mental disability: If P is suffering mental disability and is without guardian any time after accrual, time during which P is without guardian does not count in reckoning of limitation period: s 35(1). Action cannot be commenced more than 12 years after accrual: s 35(2).								

Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Effect of disability (other than specific provisions set out below) – <i>continued</i>									Court can extend limitation period up to 12 years: s 42. See [5.10.2040]. None of these provisions apply in defamation actions: ss 34, 37, 38(4), 42(4). See [5.10.2040].
Special provisions applicable in personal injury cases (see above for ordinary personal injury limitation periods)	Child or someone acting on child's behalf must give D notice of intended action within relevant period: s 30A. See [5.10.2060].	Limitation period is not suspended while person under disability has capable parent or guardian or is protected person: s 50F. See [5.10.2090].	No provision.	No provision.	Child or someone acting on child's behalf must give D notice of intended action within relevant period: s 45A(1)(b). See [5.10.2060].	Disability does not operate to extend limitation period unless proved that person under disability not in custody of parent: s 26(6). See [5.10.2100].	Limitation period is not suspended where person under legal incapacity is in custody of capable parent or guardian, or is represented person: s 27J. See [5.10.2120].	No provision.	No provision.

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Cause of action	Australian Capital Territory <i>Limitation Act 1985</i>	New South Wales <i>Limitation Act 1969</i>	Northern Territory <i>Limitation Act 1981</i>	Queensland <i>Limitation of Actions Act 1974</i>	South Australia <i>Limitation of Actions Act 1936</i>	Tasmania <i>Limitation Act 1974</i>	Victoria <i>Limitation of Actions Act 1958</i>	Western Australia (before 15/11/2005) <i>Limitation Act 1935</i>	Western Australia (on or after 15/11/2005) <i>Limitation Act 2005</i>
Special limitation periods applicable in personal injury cases involving disability (see above for ordinary personal injury limitation periods)	On or after 9/9/2003: Action by child relating to provision of health service: 6 years from date of accident giving rise to injury, unless injury is or includes disease or disorder, in which case limitation period is 6 years from date of discoverability, or 12 years from date of accident giving rise to injury, whichever ends first: s 30B. See [5.10.2070].	Where P is a minor, and action is against parent or close associate of parent or guardian: Date of discoverability is when P turns 25, or when cause of action actually discoverable by P, whichever is later. 12-year long-stop period runs from when P turns 25: s 50E. See [5.10.2090].	No provisions.	No provisions.	No provisions.	On or after 1/1/2005: Where P is a minor under disability, and parent is intended D or in close relationship with intended D: 3 years from when P turns 25: s 26(7). See [5.10.2100].	Where P under disability at date of act or omission: 6 years from date of discoverability or 12 years from act or omission, whichever expires first: s 27E. See [5.10.2110]. Where P is a minor, and action is against parent or guardian or close associate of parent or guardian: Date of discoverability is when P turns 25, or when cause of action actually discoverable by P, whichever is later.	Action for personal injury relating to childbirth: 6 years from 15/11/2005, unless limitation period that would otherwise have applied has expired: <i>Limitation Act 2005</i> (WA), s 7. Limitation period can be extended under provisions in <i>Limitation Act 2005</i> : s 7(3). See [5.10.2130].	No provisions.

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Special limitation periods applicable in personal injury cases involving disability (see above for ordinary personal injury limitation periods) – <i>continued</i>	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i> Court may extend limitation period if failure to bring action due to irrational decision by parent or guardian: s 62D. See [5.10.2080].	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i> 12-year long-stop period runs from when P turns 25: s 271. See [5.10.2110].	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
EFFECT OF ACKNOWLEDGMENT OR PART PAYMENT: [5.10.2150] – [5.10.2230]									
Effect of acknowledgment or part payment (also known as confirmation)	Limitation period starts running afresh from date of confirmation: s 32(1). See [5.10.2160].	Limitation period starts running afresh from date of confirmation: s 54(1). See [5.10.2160].	Limitation period starts running afresh from date of confirmation: s 41(1). See [5.10.2160].	Limitation period starts running afresh from date of acknowledgment or part payment. See [5.10.2150].	Limitation period starts running afresh from date of acknowledgment or part payment. See [5.10.2150].	Limitation period starts running afresh from date of acknowledgment or part payment. See [5.10.2150].	Limitation period starts running afresh from date of acknowledgment or part payment. See [5.10.2150].	Limitation period starts running afresh from date of acknowledgment or part payment. See [5.10.2150].	Limitation period starts running afresh from date of confirmation: s 47. See [5.10.2160].

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Cause of action	All causes of action: s 32(1). See [5.10.2160].	All causes of action: s 54(1). See [5.10.2160].	All causes of action: s 41(1). See [5.10.2160].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 35. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 29. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 24. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 24. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 24. See [5.10.2170] – [5.10.2190].	All causes of action: s 47. See [5.10.2160].
Causes of action to which rules apply	All causes of action: s 32(1). See [5.10.2160].	All causes of action: s 54(1). See [5.10.2160].	All causes of action: s 41(1). See [5.10.2160].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 35. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 29. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 24. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 24. See [5.10.2170] – [5.10.2190].	Land and foreclosure actions; actions to redeem a mortgage; actions to recover debts and legacies: s 24. See [5.10.2170] – [5.10.2190].	All causes of action: s 47. See [5.10.2160].

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
FRAUD AND MISTAKE: [5.10.2240] – [5.10.2260]									
Fraud	Action based on fraud, or relevant fact or identity of defendant deliberately concealed: Time before P discovers fraud, or could with reasonable diligence have discovered it, does not count in reckoning of limitation period: s 33(1). See [5.10.2240].	Action based on fraud, or cause of action or identity of defendant concealed by fraud: Time before P discovers fraud, or could with reasonable diligence have discovered it, does not count in reckoning of limitation period: s 55(1). See [5.10.2240].	Action based on fraud, or cause of action or identity of defendant concealed by fraud: Time before P discovers fraud, or could with reasonable diligence have discovered it, does not count in reckoning of limitation period: s 42(1). See [5.10.2240].	Action based on fraud, or right of action concealed by fraud: Limitation period does not commence until P has discovered fraud or could with reasonable diligence have discovered it: s 38(1). See [5.10.2240].	Concealed fraud: Right to bring equitable proceedings for recovery of land or rent accrues when fraud was or with reasonable diligence could have been discovered: s 25. See [5.10.2240].	Action based on fraud, or right of action concealed by fraud: Limitation period does not commence until P has discovered fraud or could with reasonable diligence have discovered it: s 32(1). See [5.10.2240].	Action based on fraud, or right of action concealed by fraud: Limitation period does not commence until P has discovered fraud or could with reasonable diligence have discovered it: s 27. See [5.10.2240].	Concealed fraud: Right to bring equitable proceedings for recovery of land or rent accrues when fraud was or with reasonable diligence could have been discovered: s 27. See [5.10.2240].	Failure to commence action attributable to fraudulent or other improper conduct: Court can extend limitation period up to 3 years from when action ought reasonably to have been commenced: s 38. See [5.10.2250].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Action for relief from consequences of mistake	<p><i>Limitation Act 1985</i></p> <p>Time before P discovers mistake, or could with reasonable diligence have discovered it, does not count in reckoning of limitation period: s 34(1). See [5.10.2260].</p>	<p><i>Limitation Act 1969</i></p> <p>Time before P discovers mistake, or could with reasonable diligence have discovered it, does not count in reckoning of limitation period: s 56(1). See [5.10.2260].</p>	<p><i>Limitation Act 1981</i></p> <p>Time before P discovers mistake, or could with reasonable diligence have discovered it, does not count in reckoning of limitation period: s 43(1). See [5.10.2260].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>Limitation period does not commence until P has discovered mistake or could with reasonable diligence have discovered it: s 38(1). See [5.10.2260].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>No provision. See [5.10.2260].</p>	<p><i>Limitation Act 1974</i></p> <p>Limitation period does not commence until P has discovered mistake or could with reasonable diligence have discovered it: s 32(1). See [5.10.2260].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>Limitation period does not commence until P has discovered mistake or could with reasonable diligence have discovered it: s 27. See [5.10.2260].</p>	<p><i>Limitation Act 1935</i></p> <p>No provision. See [5.10.2260].</p>	<p><i>Limitation Act 2005</i></p> <p>No provision. See [5.10.2260].</p>

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
	<i>Limitation Act 1985</i>	<i>Limitation Act 1969</i>	<i>Limitation Act 1981</i>	<i>Limitation of Actions Act 1974</i>	<i>Limitation of Actions Act 1936</i>	<i>Limitation Act 1974</i>	<i>Limitation of Actions Act 1958</i>	<i>Limitation Act 1935</i>	<i>Limitation Act 2005</i>
GENERAL									
General extension provisions	No provisions.	No provisions.	Any period, if material facts not ascertained until 12 months before end of limitation period, or failure to sue due to representations and conduct of D, and just to grant extension: s 44. See [5.10.960], [5.10.1230].	No provisions.	Any period, if material facts not ascertained until 12 months before end of limitation period, or failure to sue due to representations and conduct of D, and just to grant extension: s 48. See [5.10.960], [5.10.1230].	No provisions.	No provisions.	No provisions.	Where court satisfied that failure to commence action attributable to fraudulent or other improper conduct, can extend time in which action can be commenced for up to 3 years from when action ought reasonably to have been commenced: s 38. See [5.10.2250].

TABLE OF LIMITATION OF ACTIONS

Cause of action	Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia (before 15/11/2005)	Western Australia (on or after 15/11/2005)
Ultimate bar	<p><i>Limitation Act 1985</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation Act 1969</i></p> <p>30 years from date limitation period runs (in all cases except wrongful death or personal injury where the court has extended the limitation period): s 51(1). See [5.10.2000].</p>	<p><i>Limitation Act 1981</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation of Actions Act 1974</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation of Actions Act 1936</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation Act 1974</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation of Actions Act 1958</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation Act 1935</i></p> <p>No provision. See [5.10.2000].</p>	<p><i>Limitation Act 2005</i></p> <p>No provision. See [5.10.2000].</p>

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