



ANNO DUODECIMO

GEORGI VI REGIS.

A.D. 1948.

No. 45 of 1948.

An Act to amend the Limitation of Actions Act, 1936.

[Assented to 22nd December, 1948.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Limitation of Actions Act Amendment Act, 1948". Short titles.
- (2) The Limitation of Actions Act, 1936, as amended by this Act, may be cited as the "Limitation of Actions Act, 1936-1948".
- (3) The Limitation of Actions Act, 1936, is hereinafter called "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Section 4 of the principal Act is amended by striking out the word "twenty" in the second line and inserting in lieu thereof the word "fifteen". Amendment of s. 4 of the principal Act—Actions for recovery of land or rent.
4. Section 12 of the principal Act is amended by striking out the word "twenty" in the sixth line and inserting in lieu thereof the word "fifteen". Consequential amendment of s. 12 of the principal Act.
5. Section 27 of the principal Act is amended by striking out the word "twenty" in the fifth line of subsection (1) and the second line of subsection (2) and inserting in lieu thereof in each case the word "fifteen". Amendment of s. 27 of the principal Act—Time when mortgagor barred.

Amendment of
s. 33 of
principal Act—
Money charged
upon land
and legacies.

6. Section 33 of the principal Act is amended—

(a) by striking out the word “twenty” in the fourth line of subsection (1) and the third line of subsection (2) and inserting in lieu thereof in each case the word “fifteen”; and

(b) by adding at the end thereof the following passage:—

For the purposes of section 45 of this Act the right to bring an action to recover money secured as aforesaid shall be deemed to have first accrued at the time of such payment or acknowledgment, or at the time of the last of such payments or acknowledgments, if more than one was made or given.

Amendment of
s. 34 of
principal Act—
Actions on
specialty.

7. Section 34 of the principal Act is amended by striking out the word “twenty” in the fourth and twelfth lines and inserting in lieu thereof in each case the word “fifteen”.

Amendment of
s. 45 of the
principal Act—
Persons under
disability.

8. Section 45 of the principal Act is amended by inserting after the word “rent” in the first line of sub-section (2) thereof the words “or any money secured by any mortgage, judgment or lien or otherwise charged upon any land or rent” and by striking out the word “forty” in the sixth and ninth lines thereof and inserting in lieu thereof the word “thirty”.

Operation of
Act.

9. The amendments made by this Act shall apply in relation to every action commenced after the passing of this Act, whether the cause of action accrued before or after the passing of this Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.