

DEATHS BY ACCIDENTS COMPENSATION  
AMENDMENT BILL

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EXPLANATORY NOTE

THIS Bill rewrites section 8 of the Deaths by Accidents Compensation Act, 1908, so as to extend the limitation period under that Act for actions (other than those against the Crown and public and local authorities) from one year to two years and to enable the Court to extend the period to six years. Except in these respects the effect of the section is unaltered. Clause 23 of the Limitation Bill prescribes a limitation period of one year for the Crown and public and local authorities with a similar provision for extension to six years. In view of the connection with the Limitation Bill, this Bill is made to come into force on the same date as that Bill.

Hon. Mr. Webb

DEATHS BY ACCIDENTS COMPENSATION  
AMENDMENT

ANALYSIS

Title. | 2. Restriction on number of actions,  
1. Short Title and commencement. | and period of limitation.

A BILL INTITULED

AN ACT to Amend the Deaths by Accidents Compensation Act, 1908. Title

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

1. (1) This Act may be cited as the Deaths by Accidents Compensation Amendment Act, 1950, and shall be read together with and deemed part of the Deaths by Accidents Compensation Act, 1908 (hereinafter referred to as the principal Act). Short Title and commencement. See Reprint of Statutes, Vol. VI, p. 427

(2) This Act shall come into force on the first day of January, nineteen hundred and fifty-two.

2. The principal Act is hereby amended by repealing section eight, and substituting the following sections:— Restriction on number of actions, and period of limitation.

“ 8. Not more than one action shall lie for the same subject matter of complaint.

“ 8A. (1) This section shall apply to every action under this Act to which section *twenty-three* of the Limitation Act, 1950, does not apply.

2 *Deaths by Accidents Compensation Amendment*

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“(2) No action under this Act shall be brought after the expiration of two years from the date of the death of the person deceased:

“ Provided that application may be made to the Court, after notice to the intended defendant, for leave 5 to bring such an action at any time within six years after the date of the death of the person deceased; and the Court may, if it thinks it is just to do so, grant leave accordingly, subject to such conditions (if any) as it 10 thinks it is just to impose, where it considers that the delay in bringing the action was occasioned by mistake or by any other reasonable cause or that the intended defendant was not materially prejudiced in his defence or otherwise by the delay.