

South Australia

Limitation of Actions (Section 45A Notice) Regulations 2004

under the *Limitation of Actions Act 1936*

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1—Short title

These regulations may be cited as the *Limitation of Actions (Section 45A Notice) Regulations 2004*.

2—Commencement

These regulations will come into operation on 1 May 2004.

3—Interpretation

In these regulations—

Act means the *Limitation of Actions Act 1936*.

4—Section 45A notice

Notice of an intended action for damages required to be given under section 45A of the Act must contain—

- (a) the name and date of birth of the person who has suffered personal injury (the *plaintiff*); and
- (b) if the plaintiff is still a child as at the date of the notice—the name of the person giving notice on behalf of the plaintiff and the relationship of that person to the plaintiff; and
- (c) the address to which correspondence with, or on behalf of, the plaintiff must be directed; and
- (d) the following details about the incident out of which it is alleged the personal injury arose:
 - (i) the date of the incident;
 - (ii) the place at which the incident occurred;
 - (iii) a brief description of the circumstances of the incident;
- (e) the name of the person or persons alleged to be liable in damages (the *defendant*) for the personal injury suffered by the plaintiff; and

- (f) a statement that the plaintiff intends to take action for damages against the defendant.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 29 April 2004

No 24 of 2004

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