

South Australia

## **Limitation of Actions (Section 45A Notice) Regulations 2019**

under the *Limitation of Actions Act 1936*

---

### **Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Section 45A notice

### **Schedule 1—Revocation**

- 1 Revocation of *Limitation of Actions (Section 45A Notice) Regulations 2004*
- 

#### **1—Short title**

These regulations may be cited as the *Limitation of Actions (Section 45A Notice) Regulations 2019*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **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; and
- (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.

## **Schedule 1—Revocation**

### **1—Revocation of *Limitation of Actions (Section 45A Notice) Regulations 2004***

The *Limitation of Actions (Section 45A Notice) Regulations 2004* are revoked.

**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 23 May 2019

No 49 of 2019

AGO0053-19CS