



Limitation Act 1980

1980 CHAPTER 58

PART I

ORDINARY TIME LIMITS FOR DIFFERENT CLASSES OF ACTION

Actions in respect of wrongs causing personal injuries or death

11 Special time limit for actions in respect of personal injuries.

(1) This section applies to any action for damages for negligence, nuisance or breach of duty (whether the duty exists by virtue of a contract or of provision made by or under a statute or independently of any contract or any such provision) where the damages claimed by the plaintiff for the negligence, nuisance or breach of duty consist of or include damages in respect of personal injuries to the plaintiff or any other person.

[^{F1}(1A) This section does not apply to any action brought for damages under section 3 of the Protection from Harassment Act 1997.]

(2) None of the time limits given in the preceding provisions of this Act shall apply to an action to which this section applies.

(3) An action to which this section applies shall not be brought after the expiration of the period applicable in accordance with subsection (4) or (5) below.

(4) Except where subsection (5) below applies, the period applicable is three years from—

- (a) the date on which the cause of action accrued; or
- (b) the date of knowledge (if later) of the person injured.

(5) If the person injured dies before the expiration of the period mentioned in subsection (4) above, the period applicable as respects the cause of action surviving for the benefit of his estate by virtue of section 1 of the ^{M1}Law Reform (Miscellaneous Provisions) Act 1934 shall be three years from—

- (a) the date of death; or
- (b) the date of the personal representative's knowledge;

Status: Point in time view as at 01/10/2010.

*Changes to legislation: There are currently no known outstanding effects
for the Limitation Act 1980, Section 11. (See end of Document for details)*

whichever is the later.

- (6) For the purposes of this section “personal representative” includes any person who is or has been a personal representative of the deceased, including an executor who has not proved the will (whether or not he has renounced probate) but not anyone appointed only as a special personal representative in relation to settled land; and regard shall be had to any knowledge acquired by any such person while a personal representative or previously.
- (7) If there is more than one personal representative, and their dates of knowledge are different, subsection (5)(b) above shall be read as referring to the earliest of those dates.

Textual Amendments

F1 S. 11(1A) inserted (16.6.1997) by 1997 c. 40, s.6; S.I. 1997/1498, art.2

Marginal Citations

M1 1934 c. 41(122:3)

Status:

Point in time view as at 01/10/2010.

Changes to legislation:

There are currently no known outstanding effects for the Limitation Act 1980, Section 11.