

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.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Principal regulations

Year	No	Reference	Commencement
2004	24	<i>Gazette 29.4.2004 p1183</i>	1.5.2004: r 2