



Limitation Amendment Act 1980

1980 CHAPTER 24

Miscellaneous amendments of Limitation Act 1939

2 Limitation in case of theft

After section 3 of the principal Act (limitation in case of successive conversions and extinction of title of owner of converted goods) there shall be inserted the following section—

“3A Limitation in case of theft.

- (1) The right of any person from whom a chattel is stolen to bring an action in respect of the theft shall not be subject to the time limits under sections 2(1) (a) and 3(1) of this Act, but if his title to the chattel is extinguished under section 3(2) of this Act he may not bring an action in respect of a theft preceding the loss of his title, unless the theft in question preceded the conversion from which time began to run for the purposes of section 3(2).
- (2) Subsection (1) above shall apply to any conversion related to the theft of a chattel as it applies to the theft of a chattel; and, except as provided below, every conversion following the theft of a chattel before the person from whom it is stolen recovers possession of it shall be regarded for the purposes of this section as related to the theft.

If anyone purchases the stolen chattel in good faith neither the purchase nor any conversion following it shall be regarded as related to the theft.

- (3) Any cause of action accruing in respect of the theft or any conversion related to the theft of a chattel to any person from whom the chattel is stolen shall be disregarded for the purpose of applying section 3(1) or (2) of this Act to his case.
- (4) Where in any action brought in respect of the conversion of a chattel it is proved that the chattel was stolen from the plaintiff or anyone through whom he claims it shall be presumed that any conversion following the theft is related to the theft unless the contrary is shown.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(5) In this section ' theft' includes—

- (a) any conduct outside England and Wales which would be theft if committed in England and Wales; and
- (b) obtaining any chattel (in England and Wales or elsewhere) in the circumstances described in section 15(1) of the Theft Act 1968 (obtaining by deception) or by blackmail within the meaning of section 21 of that Act;

and references in this section to a chattel being ' stolen ' shall be construed accordingly.”