



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

[^{F1}11A] **Actions in respect of defective products.**

- (1) This section shall apply to an action for damages by virtue of any provision of Part I of the ^{M1}Consumer Protection Act 1987.
- (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 of ten years from the relevant time, within the meaning of section 4 of the said Act of 1987; and this subsection shall operate to extinguish a right of action and shall do so whether or not that right of action had accrued, or time under the following provisions of this Act had begun to run, at the end of the said period of ten years.
- (4) Subject to subsection (5) below, an action to which this section applies in which the damages claimed by the plaintiff consist of or include damages in respect of personal injuries to the plaintiff or any other person or loss of or damage to any property, shall not be brought after the expiration of the period of three years from whichever is the later of—
 - (a) the date on which the cause of action accrued; and
 - (b) the date of knowledge of the injured person or, in the case of loss of or damage to property, the date of knowledge of the plaintiff or (if earlier) of any person in whom his cause of action was previously vested.
- (5) If in a case where the damages claimed by the plaintiff consist of or include damages in respect of personal injuries to the plaintiff or any other person the injured person died before the expiration of the period mentioned in subsection (4) above, that subsection shall have effect as respects the cause of action surviving for the benefit of his estate

Status: Point in time view as at 13/10/2003. This version of this provision has been superseded.

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

by virtue of section 1 of the ^{M2}Law Reform (Miscellaneous Provisions) Act 1934 as if for the reference to that period there were substituted a reference to the period of three years from whichever is the later of—

- (a) the date of death; and
 - (b) the date of the personal representative's knowledge.
- (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.
- (8) Expressions used in this section or section 14 of this Act and in Part I of the ^{M3}Consumer Protection Act 1987 have the same meanings in this section or that section as in that Part; and section 1(1) of that Act (Part I to be construed as enacted for the purpose of complying with the product liability Directive) shall apply for the purpose of construing this section and the following provisions of this Act so far as they relate to an action by virtue of any provision of that Part as it applies for the purpose of construing that Part.]

Textual Amendments

F1 S. 11A inserted (1.3.1988) by [Consumer Protection Act 1987 \(c. 43, SIF 109:1\)](#), ss. 6(6), 50(2), [Sch. 1 para. 1](#)

Marginal Citations

M1 1987 c. 43(109:1)
M2 1934 c. 41(122:3)
M3 1987 c. 43(109:1)

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