



# 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*

#### **14 Definition of date of knowledge for purposes of sections 11 and 12**

- (1) In sections 11 and 12 of this Act references to a person's date of knowledge are references to the date on which he first had knowledge of the following facts—
- that the injury in question was significant; and
  - that the injury was attributable in whole or in part to the act or omission which is alleged to constitute negligence, nuisance or breach of duty ; and
  - the identity of the defendant; and
  - if it is alleged that the act or omission was that of a person other than the defendant, the identity of that person and the additional facts supporting the bringing of an action against the defendant;
- and knowledge that any acts or omissions did or did not, as a matter of law, involve negligence, nuisance or breach of duty is irrelevant.
- (2) For the purposes of this section an injury is significant if the person whose date of knowledge is in question would reasonably have considered it sufficiently serious to justify his instituting proceedings for damages against a defendant who did not dispute liability and was able to satisfy a judgment.
- (3) For the purposes of this section a person's knowledge includes knowledge which he might reasonably have been expected to acquire—
- from facts observable or ascertainable by him ; or
  - from facts ascertainable by him with the help of medical or other appropriate expert advice which it is reasonable for him to seek ;

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*Status: This is the original version (as it was originally enacted).*

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but a person shall not be fixed under this subsection with knowledge of a fact ascertainable only with the help of expert advice so long as he has taken all reasonable steps to obtain (and, where appropriate, to act on) that advice.