



Latent Damage Act 1986

1986 CHAPTER 37

Supplementary

4 Transitional provisions.

- (1) Nothing in section 1 or 2 of this Act shall—
- (a) enable any action to be brought which was barred by the 1980 Act or (as the case may be) by the ^{M1}Limitation Act 1939 before this Act comes into force; or
 - (b) affect any action commenced before this Act comes into force.
- (2) Subject to subsection (1) above, sections 1 and 2 of this Act shall have effect in relation to causes of action accruing before, as well as in relation to causes of action accruing after, this Act comes into force.
- (3) Section 3 of this Act shall only apply in cases where an interest in damaged property is acquired after this Act comes into force but shall so apply, subject to subsection (4) below, irrespective of whether the original cause of action accrued before or after this Act comes into force.
- (4) Where—
- (a) a person acquires an interest in damaged property in circumstances to which section 3 would apart from this subsection apply; but
 - (b) the original cause of action accrued more than six years before this Act comes into force;

a cause of action shall not accrue to that person by virtue of subsection (1) of that section unless section 32(1)(b) of the 1980 Act (postponement of limitation period in case of deliberate concealment of relevant facts) would apply to any action founded on the original cause of action.

Marginal Citations

M1 1939 c. 21.

Changes to legislation: There are currently no known outstanding effects for the Latent Damage Act 1986, Cross Heading: Supplementary. (See end of Document for details)

5 Citation interpretation, commencement and extent.

- (1) This Act may be cited as the Latent Damage Act 1986.
- (2) In this Act—
 - “the 1980 Act” has the meaning given by section 1; and
 - “action” includes any proceeding in a court of law, an arbitration and any new claim within the meaning of section 35 of the 1980 Act (new claims in pending actions).
- (3) This Act shall come into force at the end of the period of two months beginning with the date on which it is passed.
- (4) This Act extends to England and Wales only.

Changes to legislation:

There are currently no known outstanding effects for the Latent Damage Act 1986, Cross
Heading: Supplementary.