
NEWS RELEASE

For Immediate Release
2012JAG0222-001484
Oct. 2, 2012

Ministry of Justice

Save the date: Law that sets civil suits time limits to change

VICTORIA – B.C.'s new law that sets the amount of time people have to file civil lawsuits will come into effect June 1, 2013.

When it comes into force, the Limitation Act will set out new limitation periods. There will be a single, two-year limitation period for most civil claims, such as those that involve personal injury. Also, there will be an ultimate limitation period for legal matters that may not be discovered right away, in which case people will have up to 15 years to file most civil lawsuits.

These changes are consistent with reforms happening throughout Canada, better aligning B.C.'s law with other provinces. The reforms simplify and clarify the law, while also ensuring that people affected by it have enough time to become aware of their legal claim, consult with a lawyer and file a lawsuit.

Limitation periods impact things such as record-keeping practices, professional training requirements and the cost and availability of insurance.

These reforms have been welcomed by many professionals whose work is often exposed to long-term liability risk, such as dentists, engineers, construction professionals and local governments, because setting time limits on how long people have to make the decision to sue can provide businesses and professionals with a greater capacity for long-term planning.

The modernized Limitation Act was the result of extensive research and stakeholder discussion, including a green paper, a white paper, and more than five years of consultations with over 300 individuals, consumer groups, and business, legal and health-care professionals.

The Limitation Act was passed by the B.C. legislature this spring. Setting the implementation date on June 1, 2013 allows the legal community and other stakeholders time to familiarize themselves with the changes.

The ministry is working with the Law Society of BC and the Continuing Legal Education Society of BC to develop educational materials that will provide support during the transition to the new law.

Quotes:

Minister of Justice and Attorney General Shirley Bond –

“Our government is focused on making the justice system more timely and efficient. The changes set out by the new Limitation Act make the law easier to apply, while balancing the rights of both plaintiffs and defendants.”

“The modernization of these laws has been long advocated by many lawyers, professionals and members of the public, so the setting of this implementation date is pivotal for justice in our province. This will help to ensure B.C.’s limitation law is better aligned with other Canadian provinces.”

Steve Fleck, P. Eng., president of the board, Association of Consulting Engineering Companies of BC –

“Having participated in the extensive consultations that went into updating the Limitation Act, the Association of Consulting Engineering Companies of BC will be very happy to welcome this legislation when it takes effect in June 2013.”

“The new limitation periods will help to provide certainty for our profession, as they allow more capacity for long-term planning and provide increased opportunities for B.C. businesses to remain competitive.”

Bruce LeRose, QC, president of the Law Society of B.C. –

“The new Limitation Act is a significant improvement on the old act and remedies a number of issues that have arisen with the 37-year-old legislation.”

“The Law Society believes the public will be better served under the new act and we are pleased the government is taking this step.”

Learn more:

Limitation Act: <http://www.ag.gov.bc.ca/legislation/limitation-act/2012.htm>

Contact: Lauren Mulholland
Communications
Ministry of Justice
250 387-4961
250 889-3922 (cell)

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