

subsection (2) of this section, be commenced within a period of two years and six months from the time when the cause of action arises.

(2) Notwithstanding the provisions of subsection (1) of this section, upon application being made in that behalf by a person claiming damages for negligence, nuisance, or breach of duty (where the damages consist of or include damages for personal injuries to any person) a judge, after hearing such of the persons affected or likely to be affected by that application as he may think fit, may, if he thinks that in all the circumstances of the case it is just and reasonable so to do, extend the time limited by that subsection for the commencement of the action for such further period as the judge may think necessary, but so that the period within which the action may be commenced does not exceed six years from the time when the cause of action arose.

(3) The powers conferred on a judge by subsection (2) of this section may be exercised notwithstanding that the period limited by subsection (1) of this section for the commencement of the action may have expired.

(4) Nothing in this section applies to or in relation to a cause of action that arose before the commencement of this Act.

FATAL ACCIDENTS.

No. 52 of 1965.

AN ACT to amend the *Fatal Accidents Act 1934*.

[22 December 1965.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Fatal Accidents Act 1965*. Short title, citation, and commencement.

(2) The *Fatal Accidents Act 1934*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on the day on which the *Limitation of Actions Act 1965* commences.

Only one
action to lie:
To be com-
menced
within
a year.

2 Section six of the Principal Act is amended—

- (a) by inserting after the word “ shall ” (second occurring) the words “, except as provided in subsection (2) of this section ”;
- (b) by omitting the words “ twelve months ” and substituting therefor the words “ two years and six months ”; and
- (c) by adding at the end of that section the following subsections:—

“(2) Notwithstanding the provisions of subsection (1) of this section, upon application being made in that behalf by a person who is entitled to bring an action under this Act a judge, after hearing such of the persons affected or likely to be affected by that application as he may think fit, may, if he thinks that in all the circumstances of the case it is just and reasonable so to do, extend the time limited by that subsection for the commencement of the action for such further period as the judge may think necessary, but so that the time within which the action may be commenced does not exceed six years after the death of the deceased person.

“(3) The powers conferred on a judge by subsection (2) of this section may be exercised notwithstanding that the time limited by subsection (1) of this section for the commencement of the action may have expired.”.

Operation of
amendments.

3 The amendments of the Principal Act that are effected by this Act do not apply to or in relation to any cause of action that arose before the commencement of this Act.

POLICE OFFENCES.

No. 53 of 1965.

AN ACT to amend the *Police Offences Act 1935*.
[22 December 1965.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title,
citation, and
commence-
ment.

1—(1) This Act may be cited as the *Police Offences Act 1965*.

(2) The *Police Offences Act 1935*, as subsequently amended, is in this Act referred to as the Principal Act.