**Section 24A**

<table>
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<th>1</th>
<th>This section shall apply to any action for damages for negligence, nuisance or breach of duty (whether the duty exists by virtue of a contract or of a provision made by or under any written law or independently of any contract or any such provision).</th>
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</table>
| 2 | An action to this section applies, where the damages claimed consist of include damages in respect of personal injuries to the any other person, shall not be brought after the expiration of:

(a) 3 years from date on which the cause of action accrued; or
(b) 3 years from earliest date on which the plaintiff has the knowledge required for bringing an action for damages in respect of the relevant injury, if that period mentioned in paragraph (a). |

(2) An action to this section applies, where the damages claimed consist of include damages in respect of personal injuries to the any other person, shall not be brought after the expiration of:

(a) 3 years from date on which the cause of action accrued; or
(b) 3 years from earliest date on which the plaintiff has the knowledge required for bringing an action for damages in respect of the relevant injury, if that period mentioned in paragraph (a). |

(3) An action to which is section applies, other than one referred to in subsection (2), shall not be brought after the expiration of the period of either –

(a) 6 years from the date on which the cause of action accrued; or
(b) 3 years from the earliest date on which the plaintiff or any person in whom the cause of action was vested before him first had both the knowledge required for bringing an action for damages in respect of the relevant damage and a right to bring such an action, if that period expires later than the period mentioned in paragraph (a). |

(4) In subsection (2) and (3), the knowledge required for bringing an action for damages in respect of the relevant injury or damage (as the case may be) means knowledge -

(a) that the injury damage was attributable in whole or in part to the act or omission which is alleged to constitute nuisance or breach of duty; |

The interpretation of “knowledge required” can be seen in the case of Haward v Fawcetts (UK case) which went to the House of Lords for decision. This case has provided clear implications for insurers and management of claims.

 符号  What is the actual basis of the complaint?
b) of the identity of the defendant;
c) if it is alleged at the act or omission was that of a person other than the defendant, of the identify of that person and the additional facts supporting the bringing of an action against the defendant; and
d) of material facts about the injury or damage which would lead a reasonable person who had suffered such injury to consider 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.

(5) Knowledge that any acts or omissions did or did not, as a matter of law, involve negligence, nuisance or breach of duty is irrelevant for the sections (2) and (3).

(6) For the purposes of this section, a person's knowledge includes knowledge which he might reasonably have been expected to acquire -
(a) from facts observable or ascertainable by him; or
(b) from facts ascertainable by him with the help of appropriate expert advice which it is reasonable for him to seek,

but a person shall not be taken by virtue of this subsection to have knowledge of a fact ascertainable so long as he has taken all reasonable steps to obtain (and, where appropriate, to act on) that advice.

Overriding time limit for negligence, nuisance and breach of duty actions involving latent injuries and damage.

<table>
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<tr>
<th>Section 24B</th>
<th>An action for damages for negligence, nuisance or breach of duty to which section applies shall not be brought after the expiration of 15 years from the starting date.</th>
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| (2)        | For the purposes of subsection (1), “starting date” means the date (or, if more than one, the last of the dates) on which there occurred any act or omission -
(a) which is alleged to constitute negligence, nuisance or breach of duty; and
(b) to which the injury or damage in respect of which damages are claimed is alleged to be attributable (in whole or in part). |
| (3)        | This section bars the right of action in a case to which subsection (1) applies notwithstanding that the cause of action has not yet accrued before the end of the period of limitation prescribed by this section. |

The UK limitation Act in respect of personal injuries works on the concept of discoverability, thus the principle of ‘long-stop’ is not applicable. In Singapore, the long-stop is applied on the 15 years period.

While the insurance practitioners may view this as having tendencies to prolong the existing long-tailed liability and MTPBI claims, but it is for the betterment of society especially illness and sickness involving asbestosis require a substantial lengthy period for their manifestation.
| Section 24C |  
|---|---|
| (1) For the purposed of this section, “appointed date” means the date appointed by the Minister under subsection (2) |  
| (2) Nothing in section 24A shall –  
(a) enable any action to be brought which was barred by this Act immediately before the appointed date; or  
(b) affect any action commenced before the appointed date. |  
| (3) Subject to subsection (1), sections 24A and 24B shall have effect in relation to causes of action accruing before, as well as after the appointed date. |