



BILL NO. 71

Government Bill

*2nd Session, 62nd General Assembly
Nova Scotia
64 Elizabeth II, 2015*

An Act to Amend Chapter 35 of the Acts of 2014, the Limitation of Actions Act

CHAPTER 22
ACTS OF 2015

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 11, 2015**

The Honourable Lena Metlege Diab
Minister of Justice

*Halifax, Nova Scotia
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**An Act to Amend Chapter 35
of the Acts of 2014,
the Limitation of Actions Act**

Be it enacted by the Governor and Assembly as follows:

1 Subsection 4(1) of Chapter 35 of the Acts of 2014, the *Limitation of Actions Act*, is repealed and the following subsection substituted:

- (1) This Act does not apply to
 - (a) a claim based on the existing aboriginal and treaty rights of the aboriginal peoples of Canada that are recognized and affirmed in section 35 of the *Constitution Act, 1982*; or
 - (b) an equitable claim by aboriginal peoples against Her Majesty.

2 Section 5 of Chapter 35 is amended by striking out “in right of the Province”.

3 Section 10 of Chapter 35 is amended by

- (a) striking out “in right of the Province” in the first and second lines of clause (a);
- (b) striking out “in right of the Province” in the first and in the second lines of clause (b); and
- (c) striking out “in right of the Province” in the first and in the second lines of clause (c).

4 (1) Subsection 23(2) of Chapter 35 is amended by

- (a) striking out “This Section” in the first line and substituting “Subsection (3)”; and
- (b) adding “, other than claims referred to in Section 11,” immediately after “date” in the second line.

(2) Section 23 of Chapter 35 is further amended by adding immediately after subsection (3) the following subsection:

- (4) A claimant may bring a claim referred to in Section 11 at any time, regardless of whether the former limitation period expired before the effective date.
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