

Subject	Claims Discovered Before January 1, 2004 Limitations & Legislation	Claims Discovered After December 31, 2003 Limitations & Legislation
Actions on the "case" (torts & simple contracts)	6 years, <i>Limitations Act</i> , 1990, s.45(1)(g)	2 years, <i>Limitations Act</i> , 2002, s.4
Architects	6 years, <i>Limitations Act</i> , 1990, s.45(1)(g)	2 years, <i>Limitations Act</i> , 2002, s.4. <i>Look to Architects Act for limitation periods with respect to dealings with the Discipline Committee</i>
Assault, Battery, Imprisonment	4 years, <i>Limitations Act</i> , 1990, s.45(1)(j)	2 years, <i>Limitations Act</i> , 2002, s.4 & s.10
Carriage by Air	2 years, <i>Carriage By Air Act</i> , RSC, 1985, article 29	No Change
Construction Liens	45 days to preserve lien; 45 days to perfect lien; 2 years for action to be set down for trial, <i>Construction Liens Act</i>	No Change
Criminal Injuries Compensation	1 year, <i>Compensation for Victims of Crime Act</i> , s.6	2 years, <i>Compensation for Victims of Crime Act</i> , s.6 (amended)
Crown (Ontario)	60 day notice of claim; notice served within 10 days for control of property matters, <i>Proceedings Against the Crown Act</i> , ss.5, 7	No Change
Defamation		
Libel in Newspaper/Broadcast	Notice within 6 weeks, action within 3 months, <i>Libel &amp; Slander Act</i> , s.5 & s.7	No Change
Action on the "case" for words	2 years, <i>Limitations Act</i> , 1990, s.45(1)(i)	2 years, <i>Limitations Act</i> , 2002, s.4
Dependant's Relief	6 months from granting of letters probate, <i>Succession Law Reform Act</i> , s. 61	No Change
Engineers	1 year, <i>Professional Engineers Act</i> , s.46	2 years, <i>Limitations Act</i> , 2002, s.4
Executors & Administrators	2 years, <i>Trustee Act</i> , s.38	No Change
Family Actions/Applications		
Extension of Times	Subject to court's satisfaction of grounds listed in <i>Family Law Act</i> , s.2(8)	No Change
Equalization of Net Family	2 years after divorce; 6 years after separation; 6 months after death of spouse <i>Family Law Act</i> , s.7(3)	No Change
Spousal Support	2 years from day of separation, <i>Family Law Act</i> , s.50	No limitation period, <i>Limitations Act</i> , 2002, s.16(1)(c)
Fatal Accidents – Dependant's Claims	Subject to court's satisfaction of grounds listed in <i>Family Law Act</i> , s.2(8) to extend prescribed times.	No Change
	2 years for dependant to sue in tort, <i>Family Law Act</i> , s.61(4) *	2 years, <i>Limitations Act</i> , 2002, s.4
Health Professions	1 year, <i>Regulated Health Professions Act</i> , 1991, s.89	2 years, <i>Limitations Act</i> , 2002, s.4
Highway Repair		
King's Highway	Notice within 10 days, action within 3 months, <i>Public Transportation &amp; Highway Improvement Act</i> , s.33(4), & s.33(5)*	Notice within 10 days, <i>Public Transportation &amp; Highway Improvement Act</i> , s.33(4), action within 2 years, <i>Limitations Act</i> , 2002, s.4
Municipal Roadway	Notice within 7 or 10 days, action within 3 months, <i>Municipal Act</i> , ss.284(2), (5) *	Notice within 10 days, <i>Municipal Act</i> , 2001, ss.44(2) & (10); action within 2 years, <i>Limitations Act</i> , 2002, s.4
Highway Traffic Accidents	2 years, <i>Highway Traffic Act</i> , s.206 *	2 years, <i>Limitations Act</i> , 2002, s.4

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<b>Hospitals</b>		
Clarke Institute of Psychiatry	<b>6 months</b> , <i>Ontario Mental Health Foundation Act</i> , s.30 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
Psychiatric Facilities	<b>6 months</b> , <i>Mental Health Act</i> , s.78 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
Public	<b>2 years</b> , <i>Public Hospitals Act</i> , s.31 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Insurance Claims</b>		
Accident Benefits/Auto Policy	<b>2 years</b> , <i>Insurance Act</i> , ss. 272(1),(2), 281(5)*	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.39(2),(3),(5)
Accident & Sickness	<b>1 year</b> , <i>Insurance Act</i> , s.300 stat. cond. 12 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
Action Against Insurance Company on Judgment Against Insured	<b>1 year</b> , <i>Insurance Act</i> s.258(2) *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
Automobile	<b>1 year</b> for actions on loss/damaged autos; <b>2 years</b> for actions on damage to persons, O. Reg. 777/93, stat. cond. 9(4)	No Change
Fire Loss	<b>1 year</b> , <i>Insurance Act</i> , s.148, stat. cond. 14	No Change
Life Insurance Policies	<b>1 year</b> after furnishing of s.203 evidence or <b>6 years</b> after event, <i>Insurance Act</i> , s.206	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
Uninsured Automobile	<b>1 year</b> for actions on loss/damaged autos; <b>2 years</b> for actions on damage to persons, RRO. 1990, Reg. 676, s.8	No Change
<b>Joint Tortfeasor (Contribution &amp; Indemnity)</b>	<b>1 year</b> , <i>Negligence Act</i> , s.8 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4, s.18
<b>Lawyers / Assessment of Accounts</b>	<b>6 years</b> for action in negligence or contract, <i>Limitations Act, 1990</i> , s.45(1)(g)	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Personal Property</b>	<b>1 year</b> , <i>Solicitors Act, 1990</i> , ss.3, 4, 11 * <b>1 year</b> for claim against Assurance Fund, <i>Personal Property Security Act</i> , s.44(6)	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4 No Change
<b>Police Complaints</b>	<b>6 months</b> , <i>Police Services Act</i> , s.69(18)	No Change
<b>Public Authorities</b>	<b>6 months</b> , <i>Public Authorities Protection Act</i> , s.7 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Public Officers</b>	<b>10 years</b> , <i>Public Officers Act</i> , s.12 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Public Utilities</b>	<b>6 months/1 year</b> , <i>Public Utilities Act</i> , s.33*	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Railways/Streetcars (Provincial)</b>	<b>1 year</b> , <i>Railways Act</i> , RSO. 1950, s.267(1)*	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Schools</b>	<b>6 months</b> , <i>Public Authorities Protection Act</i> , s.7 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Veterinarians</b>	<b>1 year</b> , <i>Veterinarians Act</i> , s.46 *	<b>2 years</b> , <i>Limitations Act, 2002</i> , s.4
<b>Workplace Compensation</b>	<b>6 months</b> to file a claim; <b>30 days</b> notice to object to <i>work re-entry plan</i> ; <b>6 months</b> notice to object to other Board decisions; <b>6 months</b> to appeal to the Tribunal, <i>Workplace Safety and Insurance Act, 1997</i> , ss.22, 112(3), 120(1), 125(2).	No Change
<b>Ultimate Limitation Period</b>	<b>15 years</b> from the date of the act or omission no action shall be commenced, subject to exceptions which include age of minority and incapacity, <i>Limitations Act, 2002</i> , s.15	

This table examines how limitation and notice periods under the new *Limitations Act, 2002*, differ from those in effect under previous legislation. It has been compiled by Tony Antoniou, articling student with LawPRO, based on a table of commonly encountered limitation and notice periods originally prepared for LawPRO by Graeme Mew of Gowling Lafleur Henderson LLP. This new table also has been reviewed by Mr. Mew. An electronic copy of this chart and a more detailed chart are available in PDF format at [www.practicepro.ca/limitations](http://www.practicepro.ca/limitations).

[\*] Indicates statutory sections have been repealed.