



# Foreign Limitation Periods Act 1984

## 1984 CHAPTER 16

### **1 Application of foreign limitation law.**

- (1) Subject to the following provisions of this Act, where in any action or proceedings in a court in England and Wales the law of any other country falls (in accordance with rules of private international law applicable by any such court) to be taken into account in the determination of any matter—
  - (a) the law of that other country relating to limitation shall apply in respect of that matter for the purposes of the action or proceedings [<sup>F1</sup>, subject to [<sup>F2</sup> section 1ZA and [<sup>F3</sup> section 1B]]; and
  - (b) except where that matter falls within subsection (2) below, the law of England and Wales relating to limitation shall not so apply.
- (2) A matter falls within this subsection if it is a matter in the determination of which both the law of England and Wales and the law of some other country fall to be taken into account.
- (3) The law of England and Wales shall determine for the purposes of any law applicable by virtue of subsection (1)(a) above whether, and the time at which, proceedings have been commenced in respect of any matter; and accordingly, section 35 of the <sup>M1</sup>Limitation Act 1980 (new claims in pending proceedings) shall apply in relation to time limits applicable by virtue of subsection (1)(a) above as it applies in relation to time limits under that Act.
- (4) A court in England and Wales, in exercising in pursuance of subsection (1)(a) above any discretion conferred by the law of any other country, shall so far as practicable exercise that discretion in the manner in which it is exercised in comparable cases by the courts of that other country.
- (5) In this section “law”, in relation to any country, shall not include rules of private international law applicable by the courts of that country or, in the case of England and Wales, this Act.

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**Changes to legislation:** There are currently no known outstanding effects for the Foreign Limitation Periods Act 1984, Section 1. (See end of Document for details)

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### Textual Amendments

- F1** Words in s. 1(1)(a) inserted (20.5.2011) by [The Cross-Border Mediation \(EU Directive\) Regulations 2011 \(S.I. 2011/1133\)](#), [regs. 2, 28](#) (with [regs. 3, 4](#))
- F2** Words in s. 1(1)(a) inserted (30.6.2021) by [Overseas Operations \(Service Personnel and Veterans\) Act 2021 \(c. 23\)](#), [s. 14\(2\)](#), [Sch. 2 para. 2\(2\)](#); [S.I. 2021/678](#), [reg. 2](#)
- F3** Words in s. 1(1)(a) substituted (31.12.2020) by [The Cross-Border Mediation \(EU Directive\) \(EU Exit\) Regulations 2019 \(S.I. 2019/469\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 10\(2\)](#) (with [reg. 5](#)) (as amended by [S.I. 2020/1493](#), [regs. 1\(1\), 4\(5\)\(6\)](#); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#))

### Marginal Citations

- M1** [1980 c. 58](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Foreign Limitation Periods Act 1984, Section 1.