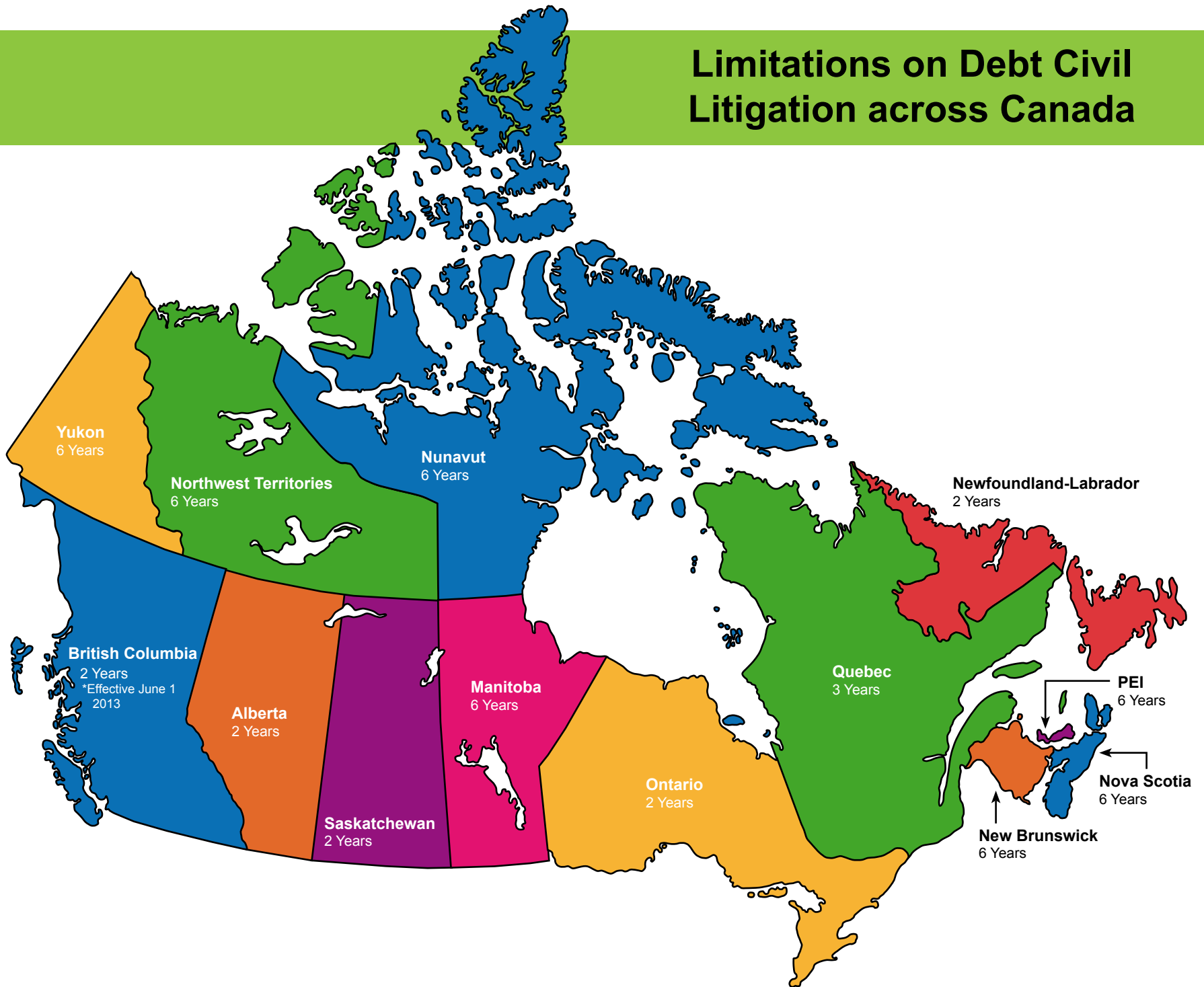


Limitations on Debt Civil Litigation across Canada



Applicable Acts

British Columbia – Section 3 (5) of the BC Limitation Act sets 2 years as the limit for debt.

Alberta – The Alberta Limitations Act sets 2 years as the term which is extended to 10 years if there is a judgement.

Manitoba - Limitation of Actions Act, C.C.S.M. c. L150, s. 2(1)(g) sets 6 years as the limit for debt.

New Brunswick – Limitation of Actions Act, S.N.B. 2009, c. L-8.5. sets 6 years as the limit for debt.

Newfoundland and Labrador – Limitations Act, S.N.L. 1995, c. L-16.1, ss. 5(b); 13; 14. sets 2 years as the limit for debt.

Nanavut - Limitation of Actions Act, R.S.N.W.T. 1988, c.L-8, s. 2(e). sets 6 years as the limit for debt.

Nova Scotia – Limitation of Actions Act, R.S.N.S. 1989, c.258, s. 2(1)(e). sets 6 years as the limited for debt. However, within 4 years of expiry of general limitation period, court may disallow the limitation period, having regard to circumstances of the case – Listed are enumerated factors to consider including date of “discovery” of claim.

NWT – Limitation of Actions Act, R.S.N.W.T. 1988, c. L-8, s. 2(e). sets 6 years as the limit for debt.

Ontario - The Ontario Limitation Act of 2002 , came into force on January 1, 2004. It sets 2 years as the term (Section 4). However, this limitation will be reinstated where the debtor acknowledges the debt or makes a partial payment towards the debt. If the debt default occurred prior to January 1, 2004, the creditor will have 6 years to pursue the claim. However, if the default occurred after January 1, 2004 then the credit will just have the 2 year limit.

P.E.I. - Statute of Limitations, R.S.P.E.I. 1988, c. S-7, s. 2(1)(g). sets 6 years as the limit for debt.

Quebec – Civil Code of Quebec, S.Q. 1991, c. 64, art. 2925. sets 3 years as the limit for debt.

Saskatchewan – Limitations Act, S.S. 2004, c. L-16.1. sets 2 years as the limit for debt.

Yukon – Limitation of Actions Act, R.S.Y. 2002, c. 139, s. 2(1)(e), (f). sets 6 years as the limit for debt.