

Western Australia

**Law Reform (Miscellaneous Provisions  
(Asbestos Diseases)) Act 2002**

---

As at 20 Mar 2002

No. 1 of 2002

Extract from [www.slp.wa.gov.au](http://www.slp.wa.gov.au), see that website for further information



Western Australia

**Law Reform (Miscellaneous Provisions  
(Asbestos Diseases)) Act 2002**

---

CONTENTS

---

1.	Short title	1
2.	Commencement	2
3.	Survival of claims for damages in certain causes of action	2



Western Australia

## **Law Reform (Miscellaneous Provisions (Asbestos Diseases)) Act 2002**

---

**No. 1 of 2002**

---

**An Act to amend the *Law Reform (Miscellaneous Provisions) Act 1941* to provide for the survival of claims for damages in certain causes of action in relation to asbestos-related conditions and for other purposes.**

[Assented to 20 March 2002]

The Parliament of Western Australia enacts as follows:

**1. Short title**

This Act may be cited as the *Law Reform (Miscellaneous Provisions (Asbestos Diseases)) Act 2002*.

s. 2

---

**2. Commencement**

This Act comes into operation on the day after the day on which it receives the Royal Assent.

**3. Survival of claims for damages in certain causes of action**

- (1) Section 4(2) of the *Law Reform (Miscellaneous Provisions) Act 1941* is amended by inserting in paragraph (d) after “shall not” the following —

“

, unless because of subsection (2a) this paragraph does not apply,

”.

- (2) After section 4(2) of that Act the following subsection is inserted —

“

- (2a) Subsection (2)(d) does not apply where —

- (a) the death of the person occurs after the day on which the *Law Reform (Miscellaneous Provisions (Asbestos Diseases)) Act 2002* comes into operation;
- (b) the death results from a latent injury that is attributable to the inhalation of asbestos which has been caused by the act or omission giving rise to the cause of action; and
- (c) proceedings in respect to the cause of action had been instituted by that person before his or her death and were pending at the time of death.

”.

=====