

Queensland Personal Injuries Proceedings Act time limits

The *Personal Injuries Proceedings Act* (Queensland) imposes certain time limits for the conduct of claims. This Fact Sheet provides a quick reference table of the time limits.

| Section | Action | Time Limit |
|---------------------------------|---|--|
| Section 9 (3) | Service of Part 1 Notice of Claim by Claimant | 9 months after the day of the incident or symptoms of the injury become apparent OR 1 month after the claimant appoints a solicitor (whichever is the earlier). |
| Section 9 (3A) | Service of Part 2 Notice of Claim by Claimant | Served within 2 months of Part 1 Notice of Claim being compliant under section 10(1) OR the Notice of Claim is presumed to be compliant under section 13 (whichever is the earlier). |
| Section 10 | Respondent gives notice as to whether correct respondent has been served | Within 1 month of service of the Notice of Claim. |
| Section 12 | Respondent gives notice as to whether the Notice of Claim complies with section 9 | Within 1 month of service of Part 1 Notice of Claim OR within 1 month of receiving a response to the Section 10 Notice. |
| Section 16 | Seek any contribution / indemnity | 3 months of receipt of a complying Part 1 Notice of Claim OR 7 days after the respondent identifies someone else as a contributor (whichever is later). Must give a copy of the Contribution Notice to each other party within 7 days. |
| Section 17 | Contributors response | Serve within 1 month after receiving Contribution Notice. |
| Section 20 | Respondent's duty to attempt resolution of claim. Admission or denial of liability notice | Serve within 6 months after respondent receives a complying Part 1 Notice of Claim. |
| Section 22 | Request for documentation and information from claimant | Send any time upon request Must receive response within 1 month. Can request response to be in the form of a statutory declaration. |
| Section 27 (subject to s 30) | Respondent's Duty of Disclosure of documents and information to the claimant | Within 1 month of receiving a complying Part 1 Notice of Claim AND ongoing duty to disclose documents that come into its possession within 7 days. Response to request for information required within 1 month and to be in a statutory declaration form if requested. |

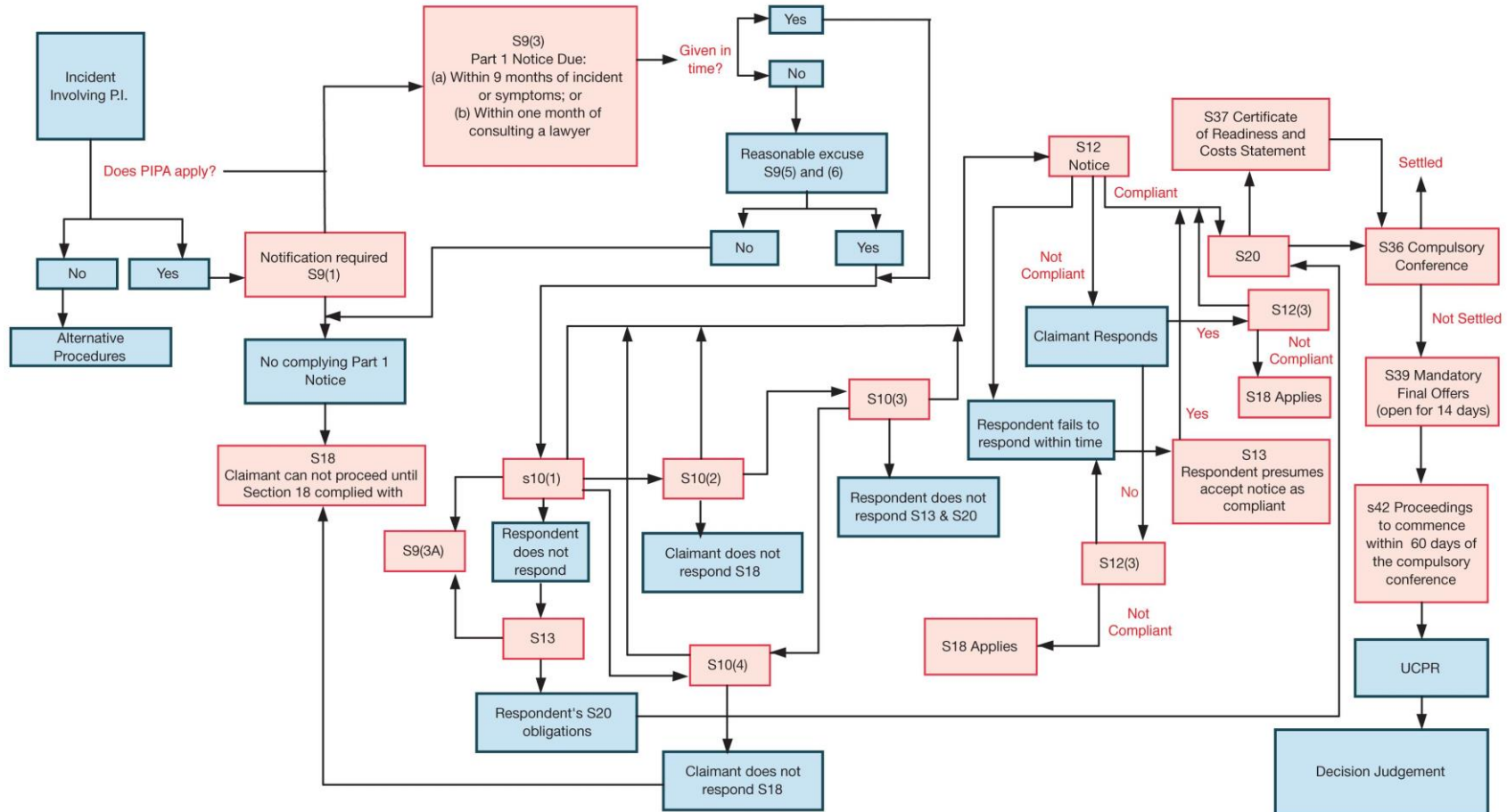
CN|FACT SHEET 3

QLD PERSONAL INJURIES PROCEEDINGS ACT

| Section | Action | Time Limit |
|--------------------------------|---|---|
| Section 28 (subject to s30) | Respondent's Duty of Disclosure of documents and information to the contributor | Within 1 month of serving Contribution Notice. An ongoing duty to disclose documents and information that comes into its possession within 7 days. |
| Section 29 (subject to s30) | Contributors Duty to Disclose Documents to respondents | Within 1 month after being added as a contributor and an ongoing duty to disclose documents that come into its possession within 7 days. |
| Section 36 | Having a Compulsory Conference | Any party may call a Compulsory Conference: (a) at a time and place agreed, OR (b) if 'relevant day' has passed, at a reasonable time and place nominated by a party. "Relevant Day" is later of: <ul style="list-style-type: none">▪ The day 6 months after the claimant gave the last respondent a complying Part 1 Notice of Claim, OR▪ The day 6 months after the last respondent gives a Section 12 Notice to claimant. |
| Section 37 | Certificate of Readiness and Costs Statement | At least 7 days before the Compulsory Conference is held. |
| Section 39 | Mandatory final offers | Must be made if settlement is not reached at the Compulsory Conference OR within 14 days of agreeing to dispense with the conference. Offer must remain open for 14 days (s 40 (4)). |
| Section 42 | Proceedings | Proceedings should be started within 60 days of the conclusion of the Compulsory Conference OR if a conference is dispensed with, within 60 days of later of: <ul style="list-style-type: none">▪ The day 6 months after the claimant gives last respondent a complying Part 1 Notice of Claim, OR▪ The date of the agreement or order to dispense with the conference. |

The material contained in this publication is in the nature of general comment only, and neither purports nor is intended, to be advice on any particular matter. No reader should act on the basis of any matter contained in this publication without considering and, if necessary, taking appropriate professional advice upon his or her own particular circumstances. Current to 30 June 2021.

PIPA Pre-Court Procedure (As Amended by the Civil Liability Act 2003)



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