

e-Laws: Finding Historical Versions of the *Limitations Act*

Hello, my name is Meris Bray. I'm a reference librarian here at the Great Library at the Law Society of Upper Canada. I've prepared this short tutorial to help you with a common question we get here at the Library.

As you probably know, e-Laws is the legislation website produced by the Ontario government. It contains current consolidations of public laws currently in force, source law from the year 2000 forward, "period in time" legislation from January 1, 2004 and legislation repealed after that same date.

Ontario's new limitations regime came into force on January 1, 2004. We frequently get asked where, or even whether, e-Laws has the text of the old *Limitations Act*. Logically, people often guess that this should sneak in under the deadline, and they should be able to view the previous act.

Many people start by looking in the section of the site devoted to "repealed, revoked and spent" law, naturally assuming that the new act repealed and replaced an old *Limitations Act*. As you can see, it's not there.

The next place people tend to look is in the period in time section, under "Limitations Act." Although the act is there, it is only the new act, and the first version is from January 1, 2004 on.

So, where is it?

In many cases, you can find the section that repeals an older act in the last few sections of the new act. If we look at the current consolidation, we can see that sections 25-49, the sections that amend or repeal other acts, have been omitted. We can also see that the current act comes from S.O. 2002, c. 24, Sched. B.

If we go into "source law," we can see the act in its original form. Hopefully this will give us a clue as to what happened to the old *Limitations Act*.

Conveniently, the schedule that is the new *Limitations Act* has its own table of contents. Scrolling down, we see that section 26 amends the *Limitations Act*. Interesting. How can there be a "new" *Limitations Act* if the old *Limitations Act* was just amended, not repealed? Let's go look at that section.

Ah. Only *part* of the old act was repealed. What was left was renamed as the *Real Property Limitations Act*. That explains why the old *Limitations Act* isn't in the repealed, spent and revoked section of the act... It is, in a way, still around.

Okay. Let's take another look at the period in time section of e-Laws, this time looking at the *Real Property Limitations Act*. There we go! As you can see, there is even a helpful explanation at the top of the act, in red, that explains what we just learned.

So, now you know how to find the text of the old *Limitations Act* as it was before it was renamed, amended and replaced by the new *Limitations Act*.

If you have any questions about this, or any other research you need assistance with, please contact us on our website using the "Ask a Law Librarian" link or call us at 416-947-3315.

Thanks for watching.