Limitations and Deadlines Quick Reference List

(June 2014 – later updates noted within the text)

This list is provided for reference only. It is not exhaustive, and should not replace regular review of the relevant legislation (including the *Interpretation Act*), rules and case law (see *Beat the clock*, tips 30, 31).

Area of Law, Statute and Section	Required Step	Deadline or Limitation
Administrative		
Judicial Review Procedure Act, R.S.B.C. 1996, c. 241, s.11	Apply for judicial review	No limitation unless an enactment otherwise provides and the court considers that substantial prejudice or hardship will result to any other person affected by reason of delay
Administrative Tribunals Act, S.B.C. 2004, c. 45, s.24(1) (Act applies if specified in a tribunal's enabling legislation)	File notice of appeal to appeal tribunal respecting a decision	Within 30 days from date of decision unless otherwise provided in a tribunal's enabling Act, however, the tribunal may extend the time to file a notice of appeal, even if the time to file has expired, if satisfied that special circumstances exist
Human Rights Code, R.S.B.C. 1996, c. 210, s.22(1)	File complaint pursuant to Code	Within one year of the alleged contravention [June 2019]
Canadian Human Rights Act, R.S.C. 1985, c. H-6, s.41(1)(e)	File complaint pursuant to the Act	Within one year of the last act or omission [July 2024]
Administrative - Immigration		
Immigration and Refugee Protection Regulations, SOR/2002-227. s.159.91	Appeal to the Refugee Appeal Division	15 days after the day on which the person or the Minister receives written reasons for the decision [July 2024]
Immigration Appeal Division Rules, 2022, SOR/2022-277, s.16	Appeal to the Immigration Appeal Division	Depending on the decision appealed from, either 30 or 60 days after the day on which the appellant receives the officer's decision and written reasons, if any; or the removal order [July 2024]
Immigration and Refugee Protection Act, SC 2001, c. 27, s.72(2)	Leave for Judicial Review to the Federal Court of Canada	An application for leave may not be made until any right of appeal under the *Act* is exhausted Notice of the application must be served on the other party and the application must be filed with the Federal Court within 15 days (in the case of a matter arising in Canada) or within 60 days (in the case of a matter arising outside Canada) after the day on which the applicant is notified of or otherwise becomes aware of the matter [July 2024]
Bankruptcy and Insolvency		
Bankruptcy and Insolvency Act, R.S.C. 1985, c-B3, s.81(4)	File proof of claim (relating to property in the possession of the bankrupt) with the trustee in bankruptcy	Within 15 days after the sending of notice by trustee
Bankruptcy and Insolvency Act, s.168.2(1)(b)	Give notice of intention to oppose a bankrupt's automatic discharge (to bankrupt, trustee and Superintendent)	Before the automatic discharge would otherwise take effect (see s. 168.1 to determine applicable period as may be as short as nine months)
Bankruptcy and Insolvency Act, s.135(4)	Appeal disallowance of creditor's claim by trustee	Within a 30 day period after the service of the notice, or such further time as the court may on application made within that period allow
Bankruptcy and Insolvency General Rules, C.R.C. c. 368, s.30 and 31	Appeal decision of the registrar or to Court of Appeal from decision of a judge (by filing *and* serving)	Within 10 days after the day of the decision appealed from
Civil Procedure, Litigation and Remedies		
Limitation Act, S.B.C. 2012, c. 13, s.6(1); s.27[1]	Sue for a judicial remedy or exercise a non-judicial remedy (some exceptions – see Creditors Remedies)	Not more than two years after the claim is discovered, regardless of the terms of any non-judicial remedy[2]
Supreme Court Civil Rules, BC Reg. 168/2009, Rule 7-7(2)	Respond to notice to admit	Within 14 days of service of the notice
Supreme Court Civil Rules, Rule 3-5(4)	Commence third party proceeding	Within 42 days after filing of the response to civil claim without leave of the court. (Note: see s. 16 *Limitation Act* for determining when a third party claim is "discovered".) [July 2024]

Limitation Act, s.16[1]	Third party proceedings for contribution and indemnity	Two years from the later of: (1) the day on which the third party claimant is served with a pleading in respect of a claim for contribution and indemnity; or (2) the first day the claimant knew or reasonably ought to have known that a claim may be made (see *Neale Engineering Ltd. v. Ross Land Mushroom Farm Ltd.*, 2023 BCC 429 and subsequent cases) [July 2024]
Limitation Act, s.7	Judgment enforcement	Not more than 10 years after the day on which the local judgment becomes enforceable [July 2024]
Court Order Enforcement Act, R.S.B.C. 1996, c. 78, s.91(2)	Renew registration of judgment	The registration of a judgment may be renewed at any time before the end of two years after the registration or last renewal of registration of the judgment [July 2024]
Supreme Court Civil Rules, Rule 13-2(18), (19)	Apply to renew writ of execution	Within one year of the issuance of the original writ or the date of renewal of the writ
Supreme Court Civil Rules, Rule 23-6(8.1) [April 2024]	File notice of appeal of an Associate Judge's order	Within 14 days of the order or decision
Court of Appeal Rules, BC Reg 240/2023 Rule 62(2) [Nov 2023]	Apply to vary or cancel order of a Justice	Within seven days after the order is made
Court of Appeal Act, S.B.C., c. 6, s.15 & *Court of Appeal Rules BC Reg 187/2022 R.6* [April 2024]	Time limit for commencing appeal of an order of the Supreme Court or from an order of a Judge (not Associated Judge) of the Supreme Court	Unless otherwise specified, 30 days running from the day after the order is pronounced
Supreme Court Act, R.S.C. 1985, c. S-26, s.58	Apply for leave to appeal/file notice of appeal where leave not required or granted	Within 60 days from the date of the judgment appealed from where leave is required / within 30 days of judgment where leave not required or order granting leave [July 2024]
Small Claims Act, R.S.B.C. 1996, c. 430, s.5 and s.6	Time limit for appeal	Within 40 days beginning on the day after the order to allow or dismiss a claim made by a Provincial Court Judge after a trial. [July 2024]
Civil Resolution Tribunal (CRT)		
Civil Resolution Tribunal Act, SBC 2012, c. 25, s.13 and s.13.1	*Limitation Act* applies to CRT claims	Claim must not be commenced more than two years after the day on which the claim is discovered [July 2024]
Civil Resolution Tribunal Act, s.13.2-13.4	Time limit-to transfer certain claims to the alternate forum	To transfer to Court: Within 28 days from: (a) the date on which the party receives notice of the tribunal's decision as set out in 13.2(a); or (b) the date of a court order under s.16.2 [July 2024] To transfer to CRT: Within 28 days from the date of a court order under section 16.1 [July 2024]
Corporate/Commercial		
Business Corporations Act, S.B.C. 2002, c. 57, s.348(2)	Name shareholder as a party to an action against a dissolved corporation	Shareholder to be added as a party to the action within two years of company's dissolution
Business Corporations Act, s.349(2)	Apply as a judgment creditor to the Minister for recovery against a dissolved company's assets	Within two years of company's dissolution
Business Corporations Act, s.192(4)	Sue insider	An action against an insider pursuant to s. 192(3) must not be commenced more than two years after the day on which the claim is discovered [July 2024]
Canada Business Corporations Act, R.S.C. 1985, c. C-44, s.118(7)	Sue director(s) for liability to the company	Within two years from the date of the resolution authorizing the director's action
Canada Business Corporations Act, s.119(3)	Sue directors for liability to employees	While still a director or within two years of the termination of the directorship
Canada Business Corporations Act, s.131(10)	Sue an insider	An action against an insider pursuant to 131(4) to 131(7) within two years after discovery of the facts that gave rise to the cause of action [July 2024]
Creditors' Remedies		
Limitation Act, S.B.C. 2012, c. 13, s.14[1]	Commence a proceeding for a claim on a demand obligation	Within two years of a failure to perform the obligation after a demand for performance has been made
Limitation Act, s.6 and 38[1]	Commence a proceeding for an unpaid debt	Not more than two or, for government debt, six years after the day on which the claim is discovered
Limitation Act, s.7(a)[1] (see s.1 definition of "local judgment")	Sue on a local judgment for the payment of money or the return of personal property	10 years after the date on which the judgment becomes enforceable
Court Order Enforcement Act, R.S.B.C. 1996, c. 78, s.91	Apply to renew registration of a judgment	Any time before the expiry of two years from the registration or last renewal of registration of the judgment

Court Order Enforcement Act, s.29(1)	Apply to have foreign judgment registered in the Supreme Court	Before the time for enforcement has expired in the originating state or 10 years have expired since the date the judgment became enforceable in the reciprocating state [June 2016]
Employee Relief and Compensation Remember to consider limitations applicable to tort claims and human rights complaints (see "Administrative" above) when considering client's options		
Employment Standards Act, R.S.B.C. 1996, c. 113, s.112(3) and 122(3)	Appeal to tribunal of director's determination	30 days after the date of service of the determination if served by registered mail; 21 days if served personally, or by fax or email in compliance with s. 122
Employment Standards Act, s.74(3)	Complaint and time limit	Deliver complaint to director regarding termination within six months from last day of employment [July 2024]
Workers Compensation Act, R.S.B.C. 2019, c. 1, s.151(3)	Apply for compensation	Within one year of the date of injury, mental disorder, death or disablement from occupational disease, unless special circumstances exist [July 2024]
Human Rights Code, R.S.B.C. 1996, c. 210, s.12(5)	Action by employee for discrimination in wages	12 months from the termination of employment
Canada Labour Code, R.S.C. 1985, c. L-2, s.240(2)	Make complaint to inspector for unjust dismissal	Within 90 days from the date on which the person making the complaint was dismissed
Estates and Trusts For additional limitations and deadlines relating to wills and estates, see the Wills, Estates and Succession Act and the Supreme Court Civil Rules, Part 25		
Wills, Estates and Succession Act, S.B.C. 2009, c. 13, s.59(3)	Apply for rectification of will	Within 180 days from issue of representation grant
Wills, Estates and Succession Act, s.146(3)	Commence a proceeding in respect of disputed claim against an estate	Within 180 days after notice is given if the debt is due at the time of the notice, or within 180 days of the time the debt falls due if not due at notice date
Wills, Estates and Succession Act, s.61(1)(a)	Commence a wills variation proceeding	Within 180 days from issue of representation grant
Wills, Estates and Succession Act, s.61(5)	File a certificate of pending litigation in support of wills variation claim	Within 10 days of starting wills variation proceeding
Limitation Act, s.12(1), (2) and (3)	Commence a proceeding based on fraud, fraudulent breach of trust or recovery of trust property	Within two years of when the beneficiary becomes *fully* aware of the facts enumerated in s.12(2)
Expropriation Act		
Compensation Action Procedure Rule, BC Reg 100/2005 (Expropriation Act)	Serve Notice of Civil Claim	Within 10 days after the date on which the Notice of Civil Claim was filed or within such longer period as the court may order [May 2026]
Family		
Family Law Act, S.B.C. 2011, c. 25, s.147(4)	Apply for child support from stepparent	Within one year of stepparent's last contribution
Family Law Act, s.198(2) and (5)	Apply for division of family property or debt, for pension division, or for spousal support	No later than two years after, for married spouses, a judgment granting a divorce or an order declaring a nullity; for spouses living in a marriage-like relationship, the date the spouses separated (family dispute resolution process may suspend running of time)
Family Law Act, s.198(3)	Apply to set aside or replace an order or agreement respecting property or spousal support	No later than two years after the spouse first discovered, or reasonably ought to have discovered, the grounds for making the application
Family Law Act, s.233	Appeal order of Provincial Court to the Supreme Court	40 days beginning the day after the order is made
Canada Pension Plan, R.S.C. 1985, c. C-8, s.55.1(1)	Apply for division of CPP benefits (between former spouses or former common-law partners)	Within three years of death of former spouse, if spouses apart for more than one year; within four years from the date of separation or at any time with the consent of both former common-law partners
Interjurisdictional Support Orders Act, S.B.C. 2002, c. 29, s.19(2)	Apply to set aside the registration of a foreign order	Within 30 days after receiving notice of the registration
Interjurisdictional Support Orders Act, s.36(5)	Appeal an order of any BC court	Within 90 days after the date the ruling, decision or order is entered as a judgment of the BC court

Insurance For additional insurance limitations, see the Insurance Act (life, disability, accident and sickness) and "Personal Injury and Death" (motor vehicle) below		
Insurance Act, R.S.B.C. 2012, c. 1, s.23	Proceeding against an insurer in relation to property and some other contracts of insurance (see ss. 2 and 8 for exceptions)	If property loss or damage, not later than two years after the date the insured knew or ought to have known the loss or damage occurred; in any other case, not later than two years after the date the cause of action against the insurer arose
Insurance Act, s.76(1)	Proceeding against an insurer for recovery of life insurance money in the event of death	No later than the earlier of two years after the insurer receives the information mandated by the statute (s. 73) or six years after the date of death
Landlord and Tenant		
Residential Tenancy Act, S.B.C. 2002, c. 78, s. 46(4), 47(4) and 49(8)	Apply for arbitration to dispute landlord's notice to end tenancy	5, 10, 15 or 30 days from the date the tenant receives notice, depending on the landlord's reason for termination [June 2019]
Liens Other liens with limitations or deadlines include woodworkers, tugboat workers and repairers' liens		
Builders Lien Act, S.B.C. 1997, c. 45, s.20	File a claim of lien	No later than 45 days after certificate of completion issued or, if none, head contract completed, abandoned or terminated or, if no head contract, improvement completed or abandoned
Builders Lien Act, s.33	Sue to enforce a claim of lien and file certificate of pending litigation in support of lien action	No later than one year from the date of the filing of the claim of lien unless 21-day notice issued
Builders Lien Act, s.14	Sue in trust	One year after head contract completed, abandoned or terminated or, if none, improvement completed or abandoned
Municipal Liability		
Local Government Act, R.S.B.C. 2015, c. 1, s. 736(1)/-*Vancouver Charter*, S.B.C. 1953, c. 55, s.294(2) [May 2016]	Give written notice of damage to municipality or the City of Vancouver (includes actions against municipal police forces)	Within two months from the date on which the damage was sustained
Local Government Act, R.S.B.C. 2015, c. 1, s. 735/-*Vancouver Charter*, S.B.C. 1953, c. 55, s.294(1) [May 2016]	Sue a municipality or the City of Vancouver for damages caused by exercise of a power conferred by an enactment	Within six months after the cause of action first arose (Note: Claims against a municipality for a breach of a duty of care in tort trigger the two-year limitation in the *Limitation Act* (see *Gringmuth* v. *The Corporation of the District of North Vancouver* (2002) BCCA 61) [July 2024]
Personal Injury and Death		
Local Government Act, R.S.B.C. 2015, c. 1, s. 736(1)/-*Vancouver Charter*, S.B.C. 1953, c. 55, s.294(2) [May 2016]	Give written notice of damage to municipality or the City of Vancouver (includes actions against municipal police forces)	Within two months from the date on which the damage was sustained
Local Government Act, R.S.B.C. 2015, c. 1, s. 735/-*Vancouver Charter* s.294(1) [May 2016]	Sue a municipality or the City of Vancouver for damages caused by exercise of a power conferred by an enactment	Within six months after the cause of action first arose (Note: Claims against a municipality for a breach of a duty of care in tort trigger the two-year limitation in the *Limitation Act* (see *Gringmuth* v. *The Corporation of the District of North Vancouver* (2002) BCCA 61) [July 2024]
National Defence Act, R.S.C. 1985, c. N-5, s.269	Sue armed forces personnel	Within two years after the day on which the act, neglect or default complained of occurred [July 2024]
Marine Liability Act, S.C. 2001, c. 6, s.6(1), s.14(1) [July 2019]	Dependents[3] sue person or ship for damages for personal injury to family member	No later than two years[4] after the cause of action arose[5]
Marine Liability Act, s.6(2), s.14(2) [July 2019]	Dependents[3] sue person or ship for damages for death	No later than two years[4] after the death of the deceased person[5]
Marine Liability Act, s.23(1) [July 2019]	Personal injury resulting from a collision between ships (not involving a "passenger")	No later than two years[4] after the loss or injury arose[5]
Marine Liability Act, s.37(1) / Athens Convention Article 16 [July 2019]	Personal injury to a "passenger" whether arising from a collision or not	No later than two years[4] from the date of disembarkation
	Death of a "passenger"	In the case of death during carriage, two years[4] from the date when the "passenger" should have disembarked In the case of death after disembarkation, two years[4] from the date of death of the "passenger".

Marine Liability Act, s.140 [July 2019]	Other personal injury claims (such as single vessel accidents where the injured person is not a "passenger" on a commercial vessel)	Three years[4] after the cause of action arose
Insurance (Vehicle) Regulation B.C. (Order in Council no. 595/2018) where s.103 Notice is issued [April 2019]	Sue ICBC for Part 7 benefits[4] for MVA before April 1, 2019	Two years[4] from the date of: (i) the accident; (ii) last payment of benefits to insured; or (iii) receipt by ICBC of the s. 103 notice for which benefits are claimed but have not been paid (such notice must be provided within two years of the MVA).
	Sue ICBC for Part 7 benefits[4] for MVA after April 1, 2019	Limitation period is **suspended indefinitely** by written notice to ICBC in compliance with new s.103 of *Insurance Vehicle Regulation* (Order in Council No. 595/2018) if ICBC does not issue a written response. If ICBC issues a written response to the new s.103 notice (the "Response"), the Part 7 action must be filed in the CRT within the later of[4]: (i) three months from the date of the Response; (ii) two years from the date of the accident; and (iii) two years from the last payment of benefits to the insured.
Insurance (Vehicle) Regulation B.C. (Order in Council no. 595) where s.103 Notice is **not** issued [April 2019]	Sue ICBC for Part 7 benefits[4] for MVA before April 1, 2019	Two years[4] from date of: (i) the accident; or (ii) last payment of benefits to insured.
	Sue ICBC for Part 7 benefits[4] for MVA after April 1, 2019	Two years[4] from the date of: (i) the accident; or (ii) last payment of benefits to insured. (Filed in the CRT.)
Limitation Act, S.B.C. 2012, c. 13, s.6(1) and 8[1]	Commence a proceeding to remedy an injury, loss or damage that occurred as a result of an act or omission	Not more than two years after the day on which the claim is discovered[6] [July 2024][7]
Carriage by Air Act, R.S.C., 1985, c. C-26, Schedule VI, Article 35	Suing for damages in the carriage of passengers, baggage, or cargo	Within two years from the date of arrival at the destination, or from the date on which the aircraft ought to have arrived, or from the date on which the carriage stopped.[8]
Tax – Personal, Property and Business		
Income Tax Act, R.S.C. 1985, c. 1, s.169(1)	Appeal to the Tax Court of Canada	90 days from the date the notice was mailed to the taxpayer
Income Tax Act, s.165(1)	File notice of objection to assessment	The later of 90 days from the date of mailing the notice or one year from the taxpayer's filing due date
Assessment Act, R.S.B.C 1996, c. 20, s.33(2)	File notice of complaint respecting assessment roll	No later than January 31 of the year following the year of the assessment
Property Transfer Tax Act, R.S.B.C. 1996, c. 378, s.19(1)	Mail notice of objection to reassessment to Minister	Within 90 days of the date shown on the notice of assessment
Victim Compensation		
Crime Victim Assistance Act, S.B.C. 2001, c. 38, s.3(2)	Apply for compensation	Within one year from date of the event or offence
Crime Victim Assistance Act, s.13(2)	Request that director reconsider decision to deny compensation	Within 60 days from the date the notice of decision was delivered
Criminal Injury Compensation Act, R.S.B.C. 1996, c. 85, s.6	Apply for compensation	Within one year from the date of injury or death

[1] The former *Limitation Act*, R.S.B.C. 1996, c. 26Hi M6 applies to pre-existing claims discovered before June 1, 2013. The pre-June 2013 Quick Reference List's references to those limitations are available through www.lawsociety.bc.ca

[2] A non-judicial remedy does not survive the expiration of a limitation period (s. 27). Therefore, it would be prudent to sue within two years of discovery.

[3] See s. 4 of *the Marine Liability Act* (MLA). The MLA provides for a much broader class of dependents than under the *Family Compensation Act.*

[4] No postponement for infants.

[5] Subject to possible extension see Section 23(2) of the MLA.

[6] MVA Accidents – Within the two year anniversary date of the MVA accident (see Interpretation Act, R.S.B.C. 1996, c. 238, s. 25.4)

[7] For a minor, the limitation period of two years is suspended until the day on which the minor attains the age of 19. With respect to starting a claim for Part 7 or no-fault benefits there is no postponement of the limitation period for minors. (See section *Limitation Act,* S.B.C. 2012, c. 13, s. 10, 18)

[8] Consider pleading the Montreal Convention (see *Yancheshmeh v. Doe*, 2023 BCSC 2192 which is under appeal)