

# Limitations and Notice Periods

Subject	Statute/Provision	Limitation Period
<p><b>Claims</b></p> <p><i>Limitations Act 2002</i> applies to claims pursued in Court proceedings, with certain exceptions, e.g., the <i>Real Property Limitations Act</i></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</u></a>, s. 4</p>	<p><b>2 years</b> from the day the “claim” was discovered.</p>
<p><b>Claims by Minors</b></p> <p><b>Claims by Incapable People</b></p>	<p>s. 6</p> <p>s. 7</p>	<p>The <b>2 -year</b> limitation period does not run while the claimant is a minor and is not represented by a litigation guardian.</p> <p>The <b>2-year</b> limitation period does not run while the claimant is incapable of commencing a proceeding due to his or her physical, mental or psychological condition.</p> <p>Limitation period commences when litigation guardian files the affidavit required by Rule 7 of the <i>Rules of Civil Procedure</i>: <a href="#"><u>Siddiqui v. Saint Francis Xavier High School, 2019 ONSC 30.</u></a> See generally <a href="#"><u>Carmichael v. Glaxosmithkline Inc., 2019 ONSC 2037.</u></a></p>
<p><b>Assault, Sexual Assault, Sexual Misconduct</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</u></a>, s. 4</p> <p>s.16(h)</p> <p>s.16(h.1)</p>	<p><b>2 years</b> from the day claim was discovered, but no limitation period for certain assaults and sexual misconduct under s. 16(h), 16(h.1), 16(h.2). See below.</p> <p>There is <b>no limitation period</b> in respect of a proceeding based on sexual assault.</p> <p>There is <b>no limitation period</b> for a proceeding based on sexual misconduct where the claimant was a minor at the time of the act and the person accused was (i) in charge of the claimant, (ii) was in a position of trust or authority in relation to the claimant, or (iii) the claimant was financially, emotionally, physically or otherwise dependent on the other person.</p>

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<p><b>Assault, Sexual Assault, Sexual Misconduct</b></p>	<p>s.16(h.2)</p>	<p>There is <b>no limitation period</b> for a proceeding based on assault where the claimant was a minor or where the relationship between the claimant and the person accused included (i) an intimate relationship, or (ii) the claimant as financially, emotionally, physically or otherwise dependent on the other person.</p>
<p><b>Contract claims</b></p>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a>, s. 4</p>	<p>Generally 2 years, per s.4 of the Act. The parties to a contract may, however, contract out of the two year limitation period, <u>unless</u> the contract is a consumer contract: <i>Limitations Act, 2002</i>, s.22. The Schedule to the Act lists a few exceptions to the general two year rule, e.g., damage to automobiles or their contents, or fire loss claims.</p>
<p><b>Contribution and Indemnity (tort and contract)</b></p>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a>, s. 4, 18</p>	<p>2 years from the date on which the statement of claim was served on the defendant, subject to discoverability of the contribution claim.</p> <p><a href="#">Mega International Commercial Bank (Canada) v. Yung, 2018 ONCA 429</a></p>
<p><b>Construction Liens</b></p>	<p><a href="#">Construction Act, R.S.O. 1990, c. C.30</a>, s. 31</p>	<p>Ontario's <i>Construction Act</i> amended the processes for preservation and perfection of liens, prompt payment and adjudication. However, these processes are subject to transition provisions. To determine whether the <i>Construction Lien Act</i> or the new <i>Construction Act</i> applies, consult practicePRO's <a href="#">detailed flowchart</a> and <a href="#">related article</a>.</p> <p>If the <i>Construction Act</i> applies, the following limitation and notice periods will govern:</p>

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<p><b>Preservation of Contractor's Liens</b></p>	s. 31(2)(a)	Where services or materials are supplied to an improvement <i>on or before</i> the certified or declared date of substantial performance, the <b>60-day</b> limitation period is commenced by the earlier of (i) the date of publication of the certificate or declaration of substantial performance of the contract or (ii) the date the contract is completed, abandoned or terminated.
	s. 31(2)(b)	Where services or materials are supplied to an improvement but there is no substantial performance declaration or certification, or services are provided <i>after</i> the date of substantial performance, the <b>60-day</b> limitation period starts to run the earlier of (i) the date the contract is completed or (ii) the date the contract is abandoned or terminated.
<p><b>Preservation of Workers' Trust Fund Liens</b></p>	s. 31(2.1)(a)	Where services or materials are supplied to an improvement <i>on or before</i> the certified or declared date of substantial performance, the <b>60-day</b> limitation period is commenced by the earlier of (i) the date of publication of the certificate or declaration of substantial performance of the contract or (ii) the date when the final worker and beneficiary of the workers' trust fund last supplies services or materials to the improvement or (iii) the date the contract is completed, abandoned or terminated or (iv) the date a subcontract is certified as completed, where services were provided under the subcontract.
	s. 31(2.1)(b)	Where services or materials are supplied to an improvement but there is no substantial performance declaration or certification, or services are provided <i>after</i> the date of substantial performance, the <b>60-day</b> limitation period starts to run the earlier of the aforementioned dates in s. 31 (2.1)(a) excluding the date of publication.
<p><b>Preservation of Liens of other persons</b></p>	s. 31(3)(a)	Where services are provided to an improvement <i>on or before</i> the certified or declared date of substantial performance, the <b>60-day</b> limitation period is commenced by the earlier of (i) the date of publication of the certificate or declaration of substantial performance of the contract or (ii) the date when services are last provided (iii) the date the contract is completed, abandoned or terminated or (iv) the date a subcontract is certified as completed, where services were provided under the subcontract.

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	s. 31(3)(b)	Where services are provided to an improvement but there is no substantial performance declaration or certification, or services are provided <i>after</i> the date of substantial performance, the <b>60-day</b> limitation period starts to run the earlier of the aforementioned dates in s. 31 (2.1)(a) excluding the date of publication.
<b>Expiry of preserved lien</b>	s. 36(2)	<b>90 days</b> to "perfect" lien before it expires - time to run from last day on which lien could have been preserved.
<b>Expiry of perfected lien</b>	s. 37(1)	Action to be set down for trial within <b>2 years</b> from date of commencement of the action which perfected that lien, otherwise the perfected lien expires.
<b>Criminal Injuries Compensation</b>	<a href="#"><u>Compensation for Victims of Crime Act, R.S.O. 1990, c. C.24</u></a> , s. 6(1)	<b>Note: This Act will be repealed on a day to be named by the Lieutenant Governor.</b>  An application for compensation shall be made within <b>2 years</b> after the date of the injury or death.
	s.6(2)	This limitation period does not apply if the crime was one of sexual violence or violence that occurred within a relationship of intimacy or dependency.
<b>Crown (Ontario)</b>	<a href="#"><u>Crown Liability and Proceedings Act, 2019, SO 2019, c 7, Sch 17</u></a> , s. 18(1), 18(5)	<b>60-day</b> notice of the claim containing sufficient particulars to identify the occasion out of which the claim arose must be given before an action against the Crown is commenced, except in the case of a counterclaim or claim by way of a set-off.
	s. 18(3)  ss. 18(4), s.8(1)(b)	If a notice of a claim is served under section 15 before the expiration of the limitation period applying to the commencement of an action for the claim and the 60-day period expires after the expiration of the limitation period, the limitation period is extended to the end of <b>7 days</b> after the expiration of the <b>60-day</b> period.

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		Notice of claim for any breach of the duties attaching to the control of property must be given within <b>10 days</b> after the claim arose.
	<a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B, ss. 3 and. 4</u></a>	Actions against Crown – 2 years from the discovery of the claim. The <i>Limitations Act, 2002</i> binds the Crown
<b>Defamation</b>	<a href="#"><u>Libel and Slander Act, R.S.O. 1990, c. L. 12, s. 5(1)</u></a>	Notice of action is to be served within <b>6 weeks</b> after the alleged libel has come to the plaintiff's knowledge.
<b>Libel in Newspaper or Broadcast</b>	s. 6	Action should be commenced within <b>3 months</b> after the libel has come to the knowledge of the person defamed. But, where such an action is brought within that period, the action may include a claim for any other libel against the plaintiff by the defendant in the same newspaper or the same broadcasting station within <b>1 year</b> before the commencement of the action.
<b>Slander</b>	<a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B, s. 4</u></a>	<b>2 years</b> from the day on which the claim was discovered.
<b>Family Actions/Applications</b>	<a href="#"><u>Family Law Act, R.S.O. 1990, c.F.3</u></a>	
<b>Extension of times</b>	s. 2(8)	The court may, on motion, extend a time prescribed by this Act if it is satisfied that, (a) there are apparent grounds for relief; (b) relief is unavailable because of delay incurred in good faith; and (c) no person will suffer substantial prejudice by reason of delay

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<p><b>Equalization of net family property</b></p>	<p>s. 7(3)</p>	<p>An application for equalization of net family properties) shall not be brought after the earliest of:</p> <p>(a) <b>2 years</b> after the day the marriage is terminated by divorce or judgment of nullity, (b) <b>6 years</b> after the day the spouses separate and there is no reasonable prospect that they will resume cohabitation,</p> <p>(c) <b>6 months</b> after the first spouse's death.</p>
<p><b>Spousal and dependants' support</b></p>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B, s. s. 16(1)(c)</a></p>	<p>There is no limitation period in respect of a proceeding to obtain support under the <i>Family Law Act</i> or to enforce a provision for support or maintenance contained in a contract or agreement that could be filed under s. 35 of the <i>Family Law Act</i>.</p>
<p><b>Dependants' Derivative Claim for Damages under the Family Law Act, s. 61</b></p>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B, s. 4</a></p>	<p><b>2 years</b> from the day on which the claim was discovered, subject to ss. 6 and 7 if claimants are minors or incapable.</p> <p>(N.B.: If the adult claimant's, or the Estate's claim, is statute barred, the dependants' derivate claim under the FLA s. 61 is also statute barred: <a href="#">Smith Estate v. College of Physicians and Surgeons, (1998) 41 O.R. (3d) 481 (C.A.)</a>)</p>
<p><b>Professionals Doctors and other health care providers, Dentists, Architects, Engineers, Lawyers, etc.</b></p>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</a></p>	<p><b>2 years</b> from the day on which the claim was discovered.</p> <p>Note: Limitation period may be extended while professional attempts to remedy his or her errors: <a href="#">Brown v. Baum, 2016 ONCA 325</a></p>

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Highway Repair		
Kings Highway	<a href="#"><u>Public Transportation and Highway Improvement Act, R.S.O. 1990, c. P.50, s. 33(4)</u></a>	Notice in writing of the claim and of the injury complained of must be served upon or sent by registered mail to the Minister within <b>10 days</b> of the injury happening. However, failing to give or the insufficiency of the notice is not a bar to the action if the judge finds a reasonable excuse and that the Crown is not prejudiced.
	<a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</u></a>	<b>2 year</b> limitation for claim to be filed from the day on which the claim was discovered.
Municipal Roadway	<a href="#"><u>Municipal Act, 2001, S.O. 2001, C.25, ss. 44(2), 44(10)</u></a>	A municipality is liable for all damages a person sustains on a damaged highway or bridge.
	s. 44(10)	Notice in writing of the claim and of the injury complained of must be served upon the clerk of the municipality within <b>10 days</b> of the injury occurring.
	s. 44(11)	Failure to give notice is not a bar to the action in the case of the death of the injured person as a result of the injury.
	s. 44(12)	Failure to give notice or insufficiency of the notice is not a bar to the action if the judge finds a reasonable excuse and that the municipality is not prejudiced.
	<a href="#"><u>Limitations Act, 2002, S.O. 2002, c.24, Sched. B., s. 4</u></a>	<b>2 year</b> limitation for claim to be filed from the day on which the claim was discovered.

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<p><b>Highway Traffic Accidents</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</u></a></p>	<p><b>2 years</b> from the day on which the claim against negligent motorist was discovered. Regarding personal injuries this means 2 years from the date that the injured party discovers that his or her injuries meets the “threshold” , as per s. 267.5(5) of the <i>Insurance Act</i>– <a href="#"><u>Farhat v. Monteanu, 2015 ONSC 2119, 125 OR (3d) 267</u></a></p>
<p><b>Hospitals and Psychiatric Facilities</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B, s. 4</u></a></p>	<p><b>2 years</b> from the day on which the claim was discovered</p>
<p><b>Insurance Claims</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B, s. 4;</u></a> <a href="#"><u>Insurance Act, R.S.O. 1990, c. 1.8</u></a></p>	<p>This section addresses claims made by insureds against insurers. Insurers cannot contract out of the statutory limitation periods, where insured is a consumer as defined in the <i>Consumer Protect Act 2000: Limitations Act 2002</i>, s. 22</p>
<p><b>Accident Benefits, - Automobile Policy</b></p>	<p><a href="#"><u>Insurance Act, R.S.O. 1990, c. 1.8, s. 280, O. Reg. 34/10: Statutory Accidents Benefits Schedule, s. 32</u></a></p>	<p>Under the SABS, a claimant must provide notice of intention to apply for a benefit within <b>7 days</b> or as soon as practicable after that day.</p>
	<p><a href="#"><u>s. 280, O. Reg. 403/96: Statutory Accidents Benefits Schedule, s. 51</u></a> <a href="#"><u>O. Reg. 34/10 Statutory Accident Benefits Schedule, s.56</u></a></p>	<p>When there is a dispute of entitlement to a benefit or the amount of a benefit, an application to resolve the dispute must be commenced by applying to the Licence Appeal Tribunal within <b>2 years of the refusal to pay</b>, subject to discoverability. <a href="#"><u>Tomec v. Economical Mutual Insurance Company, 2019 ONCA 882.</u></a> [Note: Before 2016, actions from SAB benefits were brought in Court]</p>

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<p><b>Automobile Insurance – Damage to automobile or its contents; Loss or damage to persons or other property</b></p>	<p><a href="#"><u>Insurance Act, R.S.O. 1990, c. 1.8, s.259.1</u></a></p>	<p>Every action or proceeding against the insurer under this contract regarding loss or damage to the automobile or its contents shall be commenced within <b>1 year</b> after the loss happened and not afterwards.</p>
<p><b>Uninsured and Unidentified Motorist Coverage</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</u></a></p> <p>[Note: R.R.O. 1990, Reg. 676:, s. 8(2) and s. 8(3) were not preserved in the Schedule to <i>LA 2002</i>]</p>	<p>2 years from the date that the claim was discovered, meaning 2 years from the date that the claim was submitted to the insurer. See <a href="#"><u>Chahine and Al-Dahak v. Grybas, 2014 ONSC 4698</u></a></p>
<p><b>Underinsured Motorist Coverage</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</u></a></p>	<p>2 years from the date that the claim was discovered, meaning 2 years from the date that the claim was submitted to the insurer. See <a href="#"><u>Schmitz v. Lombard Ins. Co., 2014 ONCA 88, 118 O.R. (3d) 694 (C.A.)</u></a></p>
<p><b>All Risks policies</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</u></a></p>	<p>In a consumer policy, 2 years from the date the claim was discovered, In business policies, the insurer may substitute a different limitation period.</p> <p><a href="#"><u>Boyce v. The Co-Operators General Insurance Company, 2013 ONCA 298</u></a></p>
<p><b>Fire Loss</b></p>	<p><a href="#"><u>Insurance Act, R.S.O. 1990, c. 1.8, s.148 statutory condition 14</u></a></p>	<p>Every action or proceeding against the insurer for the recovery of a claim under or by virtue of this contract is absolutely barred unless commenced within <b>1 year</b> next after the loss or damage occurs.</p>

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		Some lower Courts have held that where fire insurance is included in a multi-peril policy, this statutory condition does not apply. <i>Boyce v. Co-operators General Insurance Co.</i> , <a href="#">2012 ONSC 6381</a> , rev'd on other grounds, <a href="#">2013 ONCA 298</a>
<b>Life Insurance Policies</b>	<a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a> , s. 4	<b>2 years</b> from the day on which the claim was discovered.
<b>Disability Insurance</b> <b>[May be part of a life insurance policy (Part V of Insurance Act, or Accident and Sickness Policy, (Part VII)]</b>	<a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a> , s. 4	<b>2 years</b> from the day on which the claim was discovered, which could be: Two years from failure to pay benefits: <a href="#">Pepper v. Sammina-Sci Systems Canada, 2017 ONCA 730</a> . Two years from refusal of benefits, after completion of insurers' review/appeal process: <a href="#">Clarke v. SunLife Assurance, 2019 ONSC 2942</a>
<b>Assessment of Solicitors Account</b>	<a href="#">Solicitors Act, R.S.O. 1990, c. S.15</a> , s. 2	No action shall be brought for the recovery of fees, charges or disbursements for business done by a solicitor until <b>1 month</b> after the solicitor delivers their bill to the person charged.
	s.3	Where the retainer of the solicitor is not disputed and there are no special circumstances, an order may be obtained on requisition from a local registrar of the Superior Court of Justice, (a) by the client, for the delivery and assessment of the solicitor's bill; (b) by the client, for the assessment of a bill already delivered, <b>within 1 month</b> from its delivery; (c) by the solicitor, for the assessment of a bill already delivered, at any time after the expiration of <b>1 month</b> from its delivery, if no order for its assessment has been previously made.

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	<p>s.4 (1) and</p> <p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched.B.</a>, s. 4.</p>	<p>No reference shall be directed upon an application made by the party chargeable with such bill after a verdict or judgment has been obtained, or after 12 months from the time such bill was delivered, sent or left aforesaid, except under special circumstances to be proved to the satisfaction of the court judge to whom the application for the reference is made.</p> <p>[N.B the 12 month period referred to above has been displaced by the two year period in s. 4 of the Limitations Act, 2002. However, s. 20 of the LA 2002 preserves the special circumstances Rule set out in ss. 4 and 11 the <i>Solicitors' Act</i>. See <a href="#">Guillemette v. Doucet, 2007 ONCA 743</a>]</p>
<b>Maritime Liability</b>	<p><a href="#">Maritime Liability Act, S.C. 2001, c. 6</a>, Schedule 2</p>	<p>Various limitation periods, depending on the type of injury or claim</p>
<b>Personal Property</b>	<p><a href="#">Personal Property Security Act, R.S.O. 1990, c. P.10</a>, s. 44(6)</p>	<p>A claim against the Assurance Fund must be made within <b>1 year</b> from the time that the loss or damage giving rise to the claim came to the claimant's knowledge.</p>
<b>Public Authorities, including Police</b>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a>, s. 4</p>	<p><b>2 years</b> from the day on which the claim was discovered.</p>
<b>Public Utilities</b>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a>, s. 4</p>	<p><b>2 years</b> from the day on which the claim was discovered.</p>
<b>Railways /Streetcars</b>	<p><a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B.</a>, s. 4</p>	<p><b>2 years</b> from the day on which the claim was discovered.</p>

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<p><b>Real Property</b></p>	<p><a href="#"><u>Real Property Limitations Act, R.S.O. 1990, c. L. 15</u></a></p>	<p><a href="#"><u>See practicePRO Limitations Table – Real Property Limitations Act</u></a></p>
<p><b>Schools and Universities</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4</u></a></p>	<p><b>2 years</b> from the day on which the claim was discovered.</p>
<p><b>Travel by Air</b></p>	<p><a href="#"><u>Carriage By Air Act, R.S.C. 1985 c. C-26, Schedule VI, Chapter III, Article 35</u></a></p>	<p><b>2 years</b>, 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 carriage stopped (for damages claimed).</p>
<p><b>Wills and Estates</b></p>		
<p><b>Claims by or against deceaseds' estates for wrongs to person and property.</b></p>	<p><a href="#"><u>Trustee Act, R.S.O. 1990, c. T.23, s. 38(3)</u></a></p>	<p><b>2 years</b> from the death of the deceased. [N.B., not all claims by or against Estates are governed by s. 38(3) of the Trustee Act. See wording of ss. 38(1) and (2)]  Relief from limitation period may be available under <a href="#"><u>Estates Act, RSO 1990, c E.21, s. 47</u></a></p>
<p><b>Wills Challenges</b></p>	<p><a href="#"><u>Limitations Act, 2002, S.O. 2002, c. 24, Sched. B., s. 4 and s.16(1)(a)</u></a></p>	<p>Two years from date of death, but subject to discoverability. <a href="#"><u>Leibel v. Leibel, 2014 ONSC 4516</u></a>; <a href="#"><u>Birtzu v. McCron, 2017 ONSC 1420</u></a>; <a href="#"><u>Shannon v. Hrabovsky, 2018 ONSC 6593</u></a>  No limitation period where only a declaration as to the validity of a codicil is sought, without any ancillary relief. <a href="#"><u>Pieku v. Romoli, 2020 ONCA 26</u></a></p>
<p><b>Applications to Pass accounts</b></p>	<p>No limitation period but laches may apply</p>	<p>An application to pass accounts is not a "claim" within the meaning of the <i>Limitations Act, 2002</i>, s. 1.  <a href="#"><u>Armitage v. The Salvation Army, 2016 ONCA 971</u></a> <a href="#"><u>Estate of Ronald Alfred Craymer v. Hayward et al, 2019 ONSC 4600</u></a>, paras 31 - 35</p>

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<p><b>Objections to Applications to Pass accounts</b></p>	<p>No limitation period but laches may apply</p>	<p>An application to pass accounts is not a "claim" within the meaning of the Limitations Act, 2002, s. 1; therefore, an objection to passing accounts should not be a "claim."</p> <p><a href="#">Wall v. Shaw, 2018 ONCA 929</a> at paras. 48 – 50  <a href="#">Estate of Ronald Alfred Craymer v. Hayward et al, 2019 ONSC 4600</a>, paras 31 - 35</p>
<p><b>Dependant's Support Claims against Estate</b></p>	<p><a href="#">Succession Law Reform Act, R.S.O. 1990, c. S. 26</a>, s. 61(1) and s.61(2)</p>	<p>An application for an order for support must be made on or before <b>6 months</b> from the grant of letters probate of the will or of letters of administration (s.61(1)). However, if the court considers it proper, it may allow an application to be made at any time as to any portion of the estate remaining undistributed at the date of application (s.61(2)).</p>
<p><b>Equalization of net family property</b></p>	<p><a href="#">Family Law Act, R.S.O. 1990</a>, c.F.3s. 7(3)(c)</p>	<p>An application for equalization of net family properties shall not be brought after the earliest of:</p> <p>.....,</p> <p>(c) <b>6 months</b> after the first spouse's death.</p> <p>However, under s.2(8) of the <i>Family Law Act</i>, the court may, on motion, extend a time prescribed by this Act if it is satisfied that, (a) there are apparent grounds for relief; (b) relief is unavailable because of delay incurred in good faith; and (c) no person will suffer substantial prejudice by reason of delay.</p>
<p><b>Workplace Compensation</b></p>	<p><a href="#">Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A</a>, s. 22(1)</p> <p>s. 22(2)</p>	<p>A claim by a worker must be filed as soon as possible after the accident that gives rise to the claim, but cannot be filed more than <b>6 months</b> from the happening of the accident or, in the case of occupational disease, the claim cannot be filed more than <b>6 months</b> after the worker learns that he or she suffers from the disease.</p> <p>A claim by a survivor entitled to benefits must be filed as soon as possible after the worker's death, but cannot be filed more than <b>6 months</b> after the worker's death.</p>

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	s. 22(3)	The Board may permit a claim to be filed after the 6 month period expires if the Board believes it is just to do so.
	s. 112(3)	The limitation periods in s. 120 and s. 125(2) apply only from January 1, 1998.
	s. 120(1)	A claimant objecting to a Board decision has <b>30 days</b> to file a notice of objection concerning a return to work or labour market re-entry plan, and <b>6 months</b> to file a notice of objection for other Board decisions.
	s. 125(2)	To appeal a final decision of the Board, a notice of appeal must be filed with the Appeals Tribunal within <b>6 months</b> or within such longer period as the tribunal may permit.
<b>Wrongful Dismissal</b>	<a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B</a> , s. 4	2 years from the notice of dismissal, not 2 years from the last day worked: <a href="#">Bailey v. Milo-Food Agricultural Infrastructure and Services, 2017 ONCA 1004</a> . In constructive dismissal cases, 2 years from the date the employee elects to resign: <a href="#">Saltov v. Rolnick, 2010 ONSC 914 (Div.Ct.)</a>
<b>Note to Reader: Ultimate Limitation Period</b>	<a href="#">Limitations Act, 2002, S.O. 2002, c. 24, Sched. B</a> , s.15	No proceeding shall be commenced in respect of any claim after <b>15 years</b> from the day on which the act or omission on which the claim is based took place. Exceptions include, age of minority, incapacity, and facts wilfully concealed from the claimant.

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