

KNOW YOUR LIMITS: THE INCREASINGLY HIGH BAR FOR CLAIMS TO EXTEND THE LIMITATION PERIOD

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Legal Briefings

Herbert Smith Freehills LLP have published an article in the *New Law Journal* on recent authorities clarifying the application of the Limitation Act 1980 and the high threshold for claimants to postpone the limitation period under s.32 or s.14A of that Act.

The litigation market is well known to be counter-cyclical – an uptick in disputes usually follows market turmoil. The 2008 global financial crisis was no exception, and disputes with their factual roots in this period are still heard by the English courts today. As an inexorable consequence, the court must grapple with complicated limitation arguments, and recent decisions fleshing out the law demonstrate the judiciary’s willingness to consider time-barred claims on a summary basis, in circumstances where, traditionally, such cases have been less amenable to a strike out or summary determination.

In our article, we examine recent authorities focusing on the operation of the deliberate concealment extension under section 32(1)(b) of the Act and the alternative 3-year extension mechanism for negligence actions under section 14A(4)(b).

This article first appeared in the 9 July 2021 edition of the [New Law Journal](#).

[Read the article](#)

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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