

Ontario Suspends Limitation Periods and Other Deadlines

March 23, 2020

In light of the COVID-19 pandemic, the Ontario government has activated its powers under the *Emergency Management and Civil Protection Act* (the Act), and this has had a significant impact on limitation periods in Ontario. Ordinarily, pursuant to the *Limitations Act, 2002*, S.O. 2002, c. 24, Sched. B, a legal proceeding shall not be commenced in respect of a claim after the two years from the day on which the claim was discovered (i.e., the day on which the party knew or ought to have known). As explained below, this basic limitation period (and any other limitation periods in Ontario) *are suspended* as of March 16, 2020.

In accordance with the Act, on Friday, March 20, 2020, the Ontario government made an Order suspending *any limitation period* for the duration of the emergency. This suspends any time-limiting provision in any statute, regulation, rule, bylaw or Order of the Ontario government for all proceedings in Ontario. The Order is retroactive to Monday, March 16, 2020.

What this means for you is that the applicable limitation period in Ontario (i.e., the deadline for you to commence a legal proceeding) has been temporarily suspended as of March 16, 2020. If you believe you have a claim, or have any questions about whether you may have a claim, against another party, you should reach out to your lawyer to discuss how this suspension of the limitation period may affect you or the other party.

The duration of the Order is subject to renewal under the Act.

The Order can be found [here](#).

British Columbia has suspended filing deadlines of Family and Civil claims until May 1, 2020, but all other filing deadlines and limitation periods continue to apply. Alberta has also not suspended their filing deadlines or limitation periods. We will continue to monitor and update these changes as they occur.

The author of this article gratefully acknowledges the contributions of articling student Erin Minuk.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.