

No. 12 of 2022.

***Wrongs (Miscellaneous Provisions) (Amendment) Act 2022.***

Certified on : 12 APR 2022



No. 12 of 2022.

*Wrongs (Miscellaneous Provisions)(Amendment) Act 2022.*

**ARRANGEMENT OF SECTIONS.**

1. General liability of the State in tort (Amendment of Section 1).
2. New Section 1A.

**“1A. PERSONAL LIABILITY.”.**



No. 12 of 2022.

AN ACT

entitled

***Wrongs (Miscellaneous Provisions) (Amendment) Act 2022.***

Being an Act to amend the *Wrongs (Miscellaneous Provisions) Act* (Chapter 297) to provide for alleged tortfeasors to be named in court proceedings for purposes of vicarious liability to be established against the State, and for related purposes,

MADE by the National Parliament.

**1. GENERAL LIABILITY OF THE STATE IN TORT (AMENDMENT OF SECTION 1).**

The Principal Act is amended in Section 1 by repealing Paragraph (a) and replacing it with the following:

“(a) in respect of torts committed by its servant and agents, who must be named in the court proceedings; and”.

**2. NEW SECTION 1A.**

The Principal Act is amended by inserting immediately after Section 1, the following new section:

**“1A. PERSONAL LIABILITY.**


Subject to Section 5A of the *Claims By and Against the State Act 1996*, where the court establishes that the acts or omissions of an agent or servant of the State is -

- (a) outside of the agent or servant’s scope of duties; or
- (b) outside of the agent or servant’s course of duty; or

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(c) not in accordance with lawful instructions,  
the agent or servant shall be held personally liable.”.

I hereby certify that the above is a fair print of the *Wrongs (Miscellaneous Provisions)(Amendment) Act 2022*, which has been made by the National Parliament.

  
Clerk of the National Parliament.

12 APR 2022

I hereby certify that the *Wrongs (Miscellaneous Provisions)(Amendment) Act 2022*, was made by the National Parliament on 20 January 2022.

  
Speaker of the National Parliament.

12 APR 2022