



Law Reform (Year and a Day Rule) Act 1996

1996 CHAPTER 19

An Act to abolish the “year and a day rule” and, in consequence of its abolition, to impose a restriction on the institution in certain circumstances of proceedings for a fatal offence. [17th June 1996]

Be it enacted by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Commencement Information

II Act partly in force at Royal Assent; Act wholly in force at 17.8.1996, see [s. 3\(3\)](#)

1 Abolition of “year and a day rule”.

The rule known as the “year and a day rule” (that is, the rule that, for the purposes of offences involving death and of suicide, an act or omission is conclusively presumed not to have caused a person’s death if more than a year and a day elapsed before he died) is abolished for all purposes.

2 Restriction on institution of proceedings for a fatal offence.

- (1) Proceedings to which this section applies may only be instituted by or with the consent of the Attorney General.
- (2) This section applies to proceedings against a person for a fatal offence if—
 - (a) the injury alleged to have caused the death was sustained more than three years before the death occurred, or
 - (b) the person has previously been convicted of an offence committed in circumstances alleged to be connected with the death.

Changes to legislation: There are currently no known outstanding effects for the Law Reform (Year and a Day Rule) Act 1996. (See end of Document for details)

- (3) In subsection (2) “fatal offence” means—
- (a) murder, manslaughter, infanticide or any other offence of which one of the elements is causing a person’s death, ^{F1}...
 - ^{F2}(b) an offence under section 2(1) of the Suicide Act 1961 (offence of encouraging or assisting suicide) in connection with the death of a person, ^{F3} or
 - (c) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 ^{F4}[of causing or allowing the death of a child or vulnerable adult]
- (4) No provision that proceedings may be instituted only by or with the consent of the Director of Public Prosecutions shall apply to proceedings to which this section applies.
- (5) In the application of this section to Northern Ireland—
- (a) the reference in subsection (1) to the Attorney General is to the Attorney General for Northern Ireland, and
 - ^{F5}(aa) the reference in subsection (3)(b) to section 2(1) of the Suicide Act 1961 is to be read as a reference to section 13(1) of the Criminal Justice Act (Northern Ireland) 1966, and]
 - (b) the reference in subsection (4) to the Director of Public Prosecutions is to the Director of Public Prosecutions for Northern Ireland.

Textual Amendments

- F1** Word in s. 2(3) repealed (21.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), s. 60, Sch. 11](#); S.I. 2005/579, art. 2(e)
- F2** S. 2(3)(b) substituted (1.2.2010) by [Coroners and Justice Act 2009 \(c. 25\), s. 182\(5\), Sch. 21 para. 60\(2\)](#) (with s. 180); S.I. 2010/145, art. 2(2), Sch. para. 25(a)
- F3** S. 2(3)(c) and preceding word inserted (21.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), s. 60, Sch. 10 para. 33](#); S.I. 2005/579, art. 2(c)
- F4** Words in s. 2(3)(c) substituted (E.W.) (2.7.2012) and (N.I.) (14.3.2016) by [Domestic Violence, Crime and Victims \(Amendment\) Act 2012 \(c. 4\), s. 4\(2\), Sch. para. 3](#); and by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 6 para. 1](#) (with Sch. 8 para. 11); S.I. 2012/1432, art. 2; S.R. 2016/136, art. 2(b)
- F5** S. 2(5)(aa) inserted (1.2.2010) by [Coroners and Justice Act 2009 \(c. 25\), s. 182\(5\), Sch. 21 para. 60\(3\)](#) (with s. 180); S.I. 2010/145, art. 2(2), Sch. para. 25(a)

3 Short title, commencement and extent.

- (1) This Act may be cited as the Law Reform (Year and a Day Rule) Act 1996.
- (2) Section 1 does not affect the continued application of the rule referred to in that section to a case where the act or omission (or the last of the acts or omissions) which caused the death occurred before the day on which this Act is passed.
- (3) Section 2 does not come into force until the end of the period of two months beginning with the day on which this Act is passed; but that section applies to the institution of proceedings after the end of that period in any case where the death occurred during that period (as well as in any case where the death occurred after the end of that period).
- (4) This Act extends to England and Wales and Northern Ireland.

Changes to legislation:

There are currently no known outstanding effects for the Law Reform (Year and a Day Rule) Act 1996.