



Presumption of Death Act 2013

2013 CHAPTER 13

Declaration of presumed death

2 Making declaration **E+W**

- (1) On an application under section 1, the court must make the declaration if it is satisfied that the missing person—
 - (a) has died, or
 - (b) has not been known to be alive for a period of at least 7 years.
- (2) It must include in the declaration a finding as to the date and time of the missing person's death.
- (3) Where the court—
 - (a) is satisfied that the missing person has died, but
 - (b) is uncertain at which moment during a period the missing person died,the finding must be that the missing person is presumed to have died at the end of that period.
- (4) Where the court—
 - (a) is satisfied that the missing person has not been known to be alive for a period of at least 7 years, but
 - (b) is not satisfied that the missing person has died,the finding must be that the missing person is presumed to have died at the end of the period of 7 years beginning with the day after the day on which he or she was last known to be alive.

Commencement Information

11 S. 2 in force at 1.10.2014 by S.I. 2014/1810, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Presumption of Death Act 2013, Section 2.