



Law Reform (Year and a Day Rule) Act 1996

1996 CHAPTER 19

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.
- (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.

Changes to legislation: There are currently no known outstanding effects for the Law Reform (Year and a Day Rule) Act 1996, Section 2. (See end of Document for details)

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- F1** Word in s. 2(3) repealed (21.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, [Sch. 11](#); [S.I. 2005/579](#), art. 2(e)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)

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