

These notes refer to the Corporate Manslaughter and Corporate Homicide Act 2007 (c.19) which received Royal Assent on 26 July 2007

CORPORATE MANSLAUGHTER AND CORPORATE HOMICIDE ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 27: Commencement and saving

65. *Section 27(1)* provides for the legislation to be brought into force by order - known as a commencement order - made by the Secretary of State. Other than in the case of section 2(1)(d), such an order will need to be laid before Parliament but is not subject to the affirmative or negative resolution procedure. An order commencing section 2(1)(d), that is commencing the offence in respect of duties owed a person because they are in custody or detention, is subject to the affirmative resolution procedure and will require approval in both Houses of Parliament before it takes effect.
66. *Subsection (3)* makes it clear that the legislation is not retrospective. *Subsection (4)* makes provision for the common law offence of manslaughter by gross negligence to remain in place in respect to corporations for conduct and events that occur prior to commencement. Proceedings in respect of the common law offence (whether started before or after the new offence is brought into force) and arising out of the conduct and events occurring prior to commencement will not be affected by the Act.