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## STATUTORY INSTRUMENTS

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# 1977 No. 1251

## Fatal Accidents (Northern Ireland) Order 1977

### Right of action for wrongful act causing death

3.—(1 <sup>F1</sup> If death is caused by any wrongful act, neglect or default which is such as would (if death had not ensued) have entitled the person injured to maintain an action and recover damages in respect thereof, the person who would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured.

(2) [<sup>F2</sup>Subject to Article 3A(2), every] such action shall be for the benefit of the dependants of the person (“the deceased”) whose death has been so caused.

**F1** SI 1979/305

**F2** 1982 c. 53

**Changes to legislation:**

Fatal Accidents (Northern Ireland) Order 1977, Section 3 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument rev. in pt. (prosp.) by [1998 c. 17 s.51Sch.5 Pt.II](#)
- art.3(1) am. (prosp.) by [1998 c. 17 s.23\(2\)\(b\)\(3\)](#)