



Murder (Abolition of Death Penalty) Act 1965

1965 CHAPTER 71

An Act to abolish capital punishment in the case of persons convicted in Great Britain of murder or convicted of murder or a corresponding offence by court-martial and, in connection therewith, to make further provision for the punishment of persons so convicted. [8th November 1965]

Annotations:

Extent Information

E1 For extent of this Act in relation to Northern Ireland see [s. 3\(3\)](#)

1 Abolition of death penalty for murder.

- (1) No person shall suffer death for murder, and a person convicted of murder shall ^{F1} . . . be sentenced to imprisonment for life.
- (2) On sentencing any person convicted of murder to imprisonment for life the Court may at the same time declare the period which it recommends to the Secretary of State as the minimum period which in its view should elapse before the Secretary of State orders the release of that person on licence under section [^{F2}61 of the ^{M1}Criminal Justice Act 1967]
- (3) For the purpose of any proceedings on or subsequent to a person's trial on a charge of capital murder, that charge and any plea or finding of guilty of capital murder shall be treated as being or having been a charge, or a plea or finding of guilty, of murder only; and if at the commencement of this Act a person is under sentence of death for murder, the sentence shall have effect as a sentence of imprisonment for life.
- (4) In the foregoing subsections any reference to murder shall include an offence of or corresponding to murder under section 70 of the ^{M2}Army Act 1955 or of the ^{M3}Air Force Act 1955 or under section 42 of the ^{M4}Naval Discipline Act 1957, and any reference to capital murder shall be construed accordingly; and in each of the said

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sections 70 there shall be inserted in subsection (3) after paragraph (a) as a new paragraph (aa)—

“(aa) if the corresponding civil offence is murder, be liable to imprisonment for life”.

^{F3}(5)

Annotations:

Amendments (Textual)

F1 Words in s. 1(1) repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168, **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

F2 Words substituted by virtue of **Interpretation Act 1889 (c. 63), s. 38(1)**

F3 S. 1(5) repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168, **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Modifications etc. (not altering text)

C1 S. 1(1)(2)(3) repealed (S.) except so far as relating to courts-martial, by **Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 10 Pt. I**

Marginal Citations

M1 1967 c. 80.

M2 1955 c. 18.

M3 1955 c. 19.

M4 1957 c. 53.

2 ^{F4}

Annotations:

Amendments (Textual)

F4 S. 2 repealed by **Criminal Justice Act 1967 (c. 80), Sch. 7 Pts. I, II**

3 Short title, repeal, extent and commencement.

(1) This Act may be cited as the Murder (Abolition of Death Penalty) Act 1965.

(2) ^{F5}

(3) This Act, except as regards courts-martial, shall not extend to Northern Ireland.

(4) This Act shall come into force on the day following that on which it is passed.

Annotations:

Amendments (Textual)

F5 S. 3(2) repealed by **Statute Law (Repeals) Act 1974 (c. 22), Sch. Pt. XI**

4 ^{F6}

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Annotations:

Amendments (Textual)

F6 S. 4 repealed by Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt. V

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F7

SCHEDULE

Annotations:

Amendments (Textual)

F7 Sch. repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

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Changes to legislation:

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Changes and effects yet to be applied to :

- s. 1(2) repealed by [2003 c. 44 Sch. 37 Pt. 8](#)
- s. 1(4) repealed by [2006 c. 52 Sch. 17](#)
- s. 2(4)(b)(i) text amended by [2003 c. 44 Sch. 37 Pt. 8](#)
- s. 3(3) text amended by [2006 c. 52 Sch. 17](#)

Commencement Orders yet to be applied to the Murder (Abolition of Death Penalty) Act 1965:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/812 art. 3](#) commences ([2006 c. 52](#))
- [S.I. 2009/1059](#) Order transitional provisions for effects of commencing [SI 2009/812](#)
- [S.I. 2009/1167 art. 3 4](#) commences ([2006 c. 52](#))