



Presumption of Death Act 2013

2013 CHAPTER 13

Supplementary

17 Power to amend periods of time

The Secretary of State may by regulations amend this Act by increasing or reducing a period of time referred to in—

- (a) section 1(1)(b),
- (b) section 2(1) or (4), or
- (c) section 7(3).

18 Consequential and supplementary etc provision

- (1) The Secretary of State may by regulations make consequential, supplementary, incidental, transitional, transitory or saving provision in relation to any provision of this Act.
- (2) Regulations under this section may amend, repeal or revoke an enactment passed or made before, or in the same Session as, this Act is passed.
- (3) In this section “enactment” includes an enactment contained in—
 - (a) an instrument made under an Act, or
 - (b) an Act or Measure of the National Assembly for Wales or an instrument made under such an Act or Measure.

19 Regulations

- (1) Regulations under this Act are to be made by statutory instrument.
- (2) A statutory instrument containing the following regulations (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament—
 - (a) regulations under section 17;

- (b) regulations under section 18 which amend or repeal an Act (including an Act or Measure of the National Assembly for Wales).
- (3) Any other statutory instrument containing regulations made by the Secretary of State under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.

20 Interpretation

(1) In this Act—

“the court” means the High Court (except in section 16(2));

“interest in property” means an interest in property of any description, including an estate in land and a right over property;

“the missing person”, in relation to a declaration under this Act or an application, determination or order made in connection with such a declaration, means the person who is or would be the subject of the declaration;

“the Registrar General” means the Registrar General for England and Wales;

“sibling” means a sibling of the full blood or the half blood;

“trustee” includes an executor, administrator or personal representative;

“variation order” has the meaning given in section 5.

- (2) References in this Act to a party to proceedings include a person intervening in the proceedings in accordance with section 11.

21 Application to Crown

- (1) This Act binds the Crown.
- (2) But an application may not be made under this Act for a declaration in respect of Her Majesty.

22 Commencement

- (1) The following come into force on the day on which this Act is passed—
 - (a) section 9 so far as it confers a power to make rules,
 - (b) section 15(4) and Schedule 1 so far as they confer a power to make regulations,
 - (c) sections 17 to 21,
 - (d) this section, and
 - (e) sections 23 and 24.
- (2) Subject to subsection (1), the provisions of this Act come into force on such day as the Secretary of State may by order appoint.
- (3) An order under this section must be made by statutory instrument.
- (4) An order under this section may—
 - (a) appoint different days for different purposes, and
 - (b) include transitional, transitory or saving provision.

23 Extent

This Act extends to England and Wales.

24 Short title

This Act may be cited as the Presumption of Death Act 2013.