

*These notes refer to the Presumption of Death Act 2013  
(c.13) which received Royal Assent on 26 March 2013*

# **PRESUMPTION OF DEATH ACT 2013**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 16 Other determinations about death of missing person***

51. **Section 16** defines the relationship of the Act and other legislation dealing with presumed deaths. *Subsection (1)* states that declarations that may be applied for under section 1 can only be made under the Act. *Subsection (2)* provides that where a court or tribunal makes a declaration that a person is to be presumed dead under other legislation, it must specify the time and date of death in the declaration and the requirements in section 2(3) and (4) apply. *Subsection (3)* gives effect to Schedule 2, which amends other legislation dealing with presumptions of death. *Subsection (4)* specifies that apart from the provisions of Schedule 2 and section 16(1) to (3), nothing in sections 1 to 16 of the Act affects any other court or tribunal procedures relating to the death of a missing person. Such procedures are therefore preserved to that extent.