



# Limitation Act 1980

## 1980 CHAPTER 58

### PART I

#### ORDINARY TIME LIMITS FOR DIFFERENT CLASSES OF ACTION

*Actions in respect of wrongs causing personal injuries or death <sup>[F1]</sup> etc]*

#### 12 Special time limit for actions under Fatal Accidents legislation.

- (1) An action under the <sup>M1</sup>Fatal Accidents Act 1976 shall not be brought if the death occurred when the person injured could no longer maintain an action and recover damages in respect of the injury (whether because of a time limit in this Act or in any other Act, or for any other reason).

Where any such action by the injured person would have been barred by the time limit in section 11 <sup>[F1]</sup>, 11A or 11B] of this Act, no account shall be taken of the possibility of that time limit being overridden under section 33 of this Act.

- (2) None of the time limits given in the preceding provisions of this Act shall apply to an action under the Fatal Accidents Act 1976, but no such action shall be brought after the expiration of three years from—
- (a) the date of death; or
  - (b) the date of knowledge of the person for whose benefit the action is brought; whichever is the later.
- (3) An action under the Fatal Accidents Act 1976 shall be one to which sections 28, 33 <sup>F2</sup>...<sup>[F3]</sup>, 33B] and 35 of this Act apply, and the application to any such action of the time limit under subsection (2) above shall be subject to section 39; but otherwise Parts II and III of this Act shall not apply to any such action.

#### Textual Amendments

- F1** Words in s. 12(1) substituted (21.4.2021) by [Automated and Electric Vehicles Act 2018 \(c. 18\)](#), s. 21, [Sch. para. 12](#); S.I. 2021/396, reg. 3(c)(d)

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*Changes to legislation: There are currently no known outstanding effects  
for the Limitation Act 1980, Section 12. (See end of Document for details)*

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- F2** Word in s. 12(3) omitted (31.12.2020) by virtue of [The Cross-Border Mediation \(EU Directive\) \(EU Exit\) Regulations 2019 \(S.I. 2019/469\)](#), reg. 1(1), **Sch. 1 para. 7(3)** (with reg. 5) (as amended by [S.I. 2020/1493](#), regs. 1(1), 4(5)(6)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in s. 12(3) inserted (9.7.2015) by [The Alternative Dispute Resolution for Consumer Disputes \(Amendment\) Regulations 2015 \(S.I. 2015/1392\)](#), regs. 1(2), **4(2)** (with reg. 1(3))

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**Marginal Citations**

- M1** [1976 c. 30\(122:3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Limitation Act 1980, Section 12.