



Fatal Accidents Act 1976

1976 CHAPTER 30

2 Persons entitled to bring the action.

- (1) The action shall be brought by and in the name of the executor or administrator of the deceased.
- (2) If—
 - (a) there is no executor or administrator of the deceased, or
 - (b) no action is brought within six months after the death by and in the name of an executor or administrator of the deceased,the action may be brought by and in the name of all or any of the persons for whose benefit an executor or administrator could have brought it.
- (3) Not more than one action shall lie for and in respect of the same subject matter of complaint.
- (4) The plaintiff in the action shall be required to deliver to the defendant or his solicitor full particulars of the persons for whom and on whose behalf the action is brought and of the nature of the claim in respect of which damages are sought to be recovered.

Modifications etc. (not altering text)

- C1 S. 2(3) excluded by [International Transport Conventions Act 1983](#) (c. 14, SIF 102), s. **3(1)(b)(5)(6)**
- C2 S. 2(3) restricted (26.7.2005 coming into force in accordance with reg. 1) by [The Railways \(Convention on International Carriage by Rail\) Regulations 2005](#) (S.I. 2005/2092), regs. 1, **5(1)(b)**
- C3 S. 2(3) restricted (25.6.2010) by [The Rail Passengers' Rights and Obligations Regulations 2010](#) (S.I. 2010/1504), regs. 1(2), **7(1)(b)**
- C4 S. 2(4) amended (1.1.1992) by S.I. 1991/2684, arts. 2, 4, **Sch.1**
- C5 S. 2(4) applied (with modifications) (23.12.2011) by [The Legal Services Act 2007](#) (Designation as a Licensing Authority) (No. 2) Order 2011 (S.I. 2011/2866), art. 1(2), **Sch. 2**

Changes to legislation:

There are currently no known outstanding effects for the Fatal Accidents Act 1976, Section 2.