



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

12 Special time limit for actions under Fatal Accidents legislation.

- (1) An action under the ^{M1}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 [^{F1}or 11A] 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 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 inserted (1.3.1988) by [Consumer Protection Act 1987 \(c. 43, SIF 109:1\)](#), ss. 6(6), 50(2), [Sch. 1 para. 2](#)

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

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

Marginal Citations

M1 1976 c. 30(122:3)

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