

CHAPTER 19.

LAW REFORM (MISCELLANEOUS PROVISIONS).

ARRANGEMENT OF SECTIONS.

SECTION.

1. Short title.
2. Effect of death on certain causes of action.
3. Amendment of Fatal Accidents Acts, 1846 and 1864.
4. Power of courts of record to award interest on debts and damages.

CHAPTER 19.

LAW REFORM (MISCELLANEOUS PROVISIONS).

3 of 1935.

An Ordinance to amend the law as to the effect of death in relation to causes of action and as to the awarding of interest in Civil Proceedings.

[1ST JULY, 1935.]

Short title.

1. This Ordinance may be cited as the Law Reform (Miscellaneous Provisions) Ordinance.

Effect of death on certain causes of action.

2. (1) Subject to the provisions of this section, on the death of any person after the commencement of this Ordinance all causes of action subsisting against or vested in him shall survive against, or, as the case may be, for the benefit of, his estate:

Provided that this sub-section shall not apply to causes of action for defamation or seduction or for inducing one spouse to leave or remain apart from the other or to claims for damages on the ground of adultery.

(2) Where a cause of action survives as aforesaid for the benefit of the estate of a deceased person, the damages recoverable for the benefit of the estate of that person—

(a) shall not include any exemplary damages;

(b) in the case of a breach of promise to marry shall be limited to such damage, if any, to the estate of that person as flows from the breach of promise to marry;

(c) where the death of that person has been caused by the act or omission which gives rise to the cause of action, shall be calculated without reference to any loss or gain to his