

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of August 31, 2018

SUPPLEMENT

(Issued on 03.09.2018)



**RECOVERY OF DAMAGES FOR THE
DEATH OF A PERSON**

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BILL

to provide for the recovery of damages for the death of a person caused by a wrongful act, omission, negligence or default of another and to provide for matters connected therewith and incidental thereto.

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*Recovery of Damages for the
Death of a Person*

L.D.—O. 25/2017

AN ACT TO PROVIDE FOR THE RECOVERY OF DAMAGES FOR THE DEATH OF A PERSON CAUSED BY A WRONGFUL ACT, OMISSION, NEGLIGENCE OR DEFAULT OF ANOTHER AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Recovery of Damages for the Death of a Person Act, No. of 2018. Short title.

5 2. (1) Where the death of a person is caused by a wrongful act, omission, negligence or default of another, the person referred to in subsection (2) (hereinafter referred to as the “applicant”) shall have the right to maintain an action for damages in respect thereof, against the person whose
10 wrongful act, omission, negligence or default caused the death of such person. Right to maintain an action.

(2) The action may be maintained by—

- (a) a parent or the parents jointly;
- (b) a child or the children jointly;
- 15 (c) a sibling or the siblings jointly;
- (d) a grandparent or the grandparents jointly; or
- (e) the guardian.

3. In an action to recover damages for the death of a person, the applicant may recover damages for— Damages for the death of a person.

- 20 (a) the loss of that person’s love and affection and care and companionship; and
- (b) the mental pain and suffering.

