

**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**

A

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.**

Ordered to be published by the Minister of Justice and Prison Reforms

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 12.00

Postage : Rs. 15.00

This Gazette Supplement can be downloaded from www.documents.gov.lk



*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 Short title.
for the Death of a Person Act, No. of 2018.

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

(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 Damages for
person, the applicant may recover 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.

No right of succession.

(b) after a claim is made but before a judgment is delivered,

10 **5.** The Court may, for the purpose of deciding any matter under this Act, call on one or more persons specially skilled in any matter relevant to the matter under consideration, for assistance.

6. Any applicant who has abandoned the deceased person shall not be entitled to claim damages under this Act. Damages where abandonment has occurred.

7. The provisions of this Act shall be in addition to and not in derogation of any other right or remedy provided by any other written law or unwritten law.

8. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

