



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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[No. 2305.]

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 402. 19 Maart 1969.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 9 van 1969: Wet op die Berekening van Skadevergoeding, 1969.

No. 402. 19th March, 1969.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 9 of 1969: Assessment of Damages Act, 1969.

Act No. 9, 1969

ASSESSMENT OF DAMAGES ACT, 1969.

ACT

To amend the law relating to the assessment of damages for loss of support as a result of a person's death.

*(Afrikaans text signed by the State President.)
(Assented to 7th March, 1969.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Insurance moneys, pensions and certain benefits not to be taken into account in the assessment of damages for loss of support.

1. (1) When in any action, the cause of which arose after the commencement of this Act, damages are assessed for loss of support as a result of a person's death, no insurance money, pension or benefit which has been or will or may be paid as a result of the death, shall be taken into account.

(2) For the purposes of subsection (1)—

- (i) "benefit" means any payment by a friendly society or trade union for the relief or maintenance of a member's dependants; (iii)
- (ii) "insurance money" includes a refund of premiums and any payment of interest on such premiums; (ii)
- (iii) "pension" includes a refund of contributions and any payment of interest on such contributions, and also any payment of a gratuity or other lump sum by a pension or provident fund or by an employer in respect of a person's employment. (i)

Application of Act to South-West Africa.

2. The provisions of this Act and any amendment thereof shall apply also in the territory of South-West Africa, including that portion of the said territory known as the Eastern Caprivi Zipfel and referred to in section 38 (5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968).

Short title.

3. This Act shall be called the Assessment of Damages Act, 1969.