

eSwatini

## Assessment of Damages Act, 1970

Act 38 of 1970

Legislation as at 1 December 1998

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## Assessment of Damages Act, 1970

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# Assessment of Damages Act, 1970

Act 38 of 1970

Assented to on 13 October 1970

Commenced on 23 October 1970

*[This is the version of this document at 1 December 1998.]*

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

### 1. Short title

This Act may be cited as the Assessment of Damages Act, 1970.

### 2. Interpretation

In this Act, unless the context otherwise requires—

"**benefit**" means any payment by a friendly society or trade union for the relief or maintenance of a member's dependants;

"**insurance money**" includes a refund of premiums and any payment of interest on such premiums;

"**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.

### 3. Insurance moneys, etc. not to be taken into account in the assessment of damages for loss of support

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 may be paid as a result of the death, shall be taken into account.