



# Law Reform (Miscellaneous Provisions) Act 1971

## 1971 CHAPTER 43

### PART II

#### DAMAGES FOR WIDOWS

#### **4 Assessment of damages for widows.**

- (1) In assessing damages payable to a widow in respect of the death of her husband in any action under the Fatal Accidents Acts 1846 to 1959 there shall not be taken into account the remarriage of the widow or her prospects of remarriage.
- (2) In the application of subsection (1) of this section to Scotland, for the words " in respect of the death of her husband in any action under the Fatal Accidents Acts 1846 to 1959 " there shall be substituted the words " in any action in respect of which the right of action accrued on the death of her husband in consequence of personal injuries (as denned in section 6 of the Law Reform (Limitation of Actions, &c.) Act 1954) sustained by him ".

#### **5 Abolition of control of widows' damages.**

- (1) Section 19 of the Administration of Justice Act 1965 (widows' damages in Fatal Accidents Acts claim to be subject to control of court if claim also made on behalf of infant) is hereby repealed.
- (2) Any money which by virtue of the said section 19 is in court at the commencement of this Act shall, if the person entitled thereto is not under disability and makes an application in that behalf to the court, be paid out to that person.
- (3) The repeal by this section of the said section 19 shall not affect section 31 of the said Act of 1965 (which enables the Parliament of Northern Ireland to enact provisions corresponding to those of the said section 19).