



Administration of Justice Act 1982

1982 CHAPTER 53

PART II

DAMAGES FOR PERSONAL INJURIES ETC.—SCOTLAND

9 Services to injured person's relative

- (1) The responsible person shall be liable to pay to the injured person a reasonable sum by way of damages in respect of the inability of the injured person to render the personal services referred to in subsection (3) below.
- (2) Where the injured person has died, any relative of his entitled to damages in respect of loss of support under section 1(3) of the Damages (Scotland) Act 1976 shall be entitled to include as a head of damage under that section a reasonable sum in respect of the loss to him of the personal services mentioned in subsection (3) below.
- (3) The personal services referred to in subsections (1) and (2) above are personal services—
 - (a) which were or might have been expected to have been rendered by the injured person before the occurrence of the act or omission giving rise to liability,
 - (b) of a kind which, when rendered by a person other than a relative, would ordinarily be obtainable on payment, and
 - (c) which the injured person but for the injuries in question might have been expected to render gratuitously to a relative.
- (4) Subject to subsection (2) above, the relative shall have no direct right of action in delict against the responsible person in respect of the personal services mentioned in subsection (3) above.