



An Bille um Dhliteanas Sibhialta (Leasú), 2018
Civil Liability (Amendment) Bill 2018

Mar a tionscnaíodh

As initiated



AN BILLE UM DHLITEANAS SIBHIALTA (LEASÚ), 2018
CIVIL LIABILITY (AMENDMENT) BILL 2018

CONTENTS

Section

1. Action where stillbirth caused by wrongful treatment or care
 2. Increase in compensation for mental distress resulting from death of family member
 3. Short title and commencement
-

ACT REFERRED TO

Civil Liability Act 1961 (No. 41)



**AN BILLE UM DHLITEANAS SIBHIALTA (LEASÚ), 2018
CIVIL LIABILITY (AMENDMENT) BILL 2018**

Bill

entitled

An Act to amend the law relating to civil liability. 5

Be it enacted by the Oireachtas as follows:

Action where stillbirth caused by wrongful treatment or care

1. Part IV of the Civil Liability Act 1961 is amended by inserting the following section after section 49:

“Action where stillbirth caused by wrongful treatment or care 10

49A. In section 49(1)—

(a) the reference to the death of a person includes the stillbirth of a child who, at birth, had a gestational age of not less than 24 weeks, and

(b) the reference to death caused by the wrongful act of another 15 includes the stillbirth of a child caused by the wrongful act of another in or in relation to the provision of medical, surgical, nursing or midwifery treatment or care to the unborn child or the child’s mother.”.

Increase in compensation for mental distress resulting from death of family member 20

2. Section 49 of the Civil Liability Act 1961 is amended by substituting the following for subsection (1)(b):

“(b) The total of any amounts awarded by virtue of subparagraph (ii) of paragraph (a) of this subsection shall not exceed €75,000.”.

Short title and commencement 25

3. (1) This Act may be cited as the Civil Liability (Amendment) Act 2018.

(2) This Act—

(a) comes into operation on its passing,

(b) shall not have effect in relation to a death or stillbirth that occurred before it comes into operation. 30

An Bille um Dhliteanas Sibhialta (Leasú),
2018

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an dlí a bhaineann le dliteanas
sibhialta.

An Teachta Alain Ó Ceallaigh a thug isteach,
12 Eanáir, 2018

Civil Liability (Amendment) Bill 2018

BILL

(as initiated)

entitled

An Act to amend the law relating to civil liability.

Introduced by Deputy Alan Kelly,
12th January, 2018
