



Fatal Accidents Act 1976

1976 CHAPTER 30

1 Right of action for wrongful act causing death

- (1) If death is caused by any wrongful act, neglect or default which is such as would (if death had not ensued) have entitled the person injured to maintain an action and recover damages in respect thereof, the person who would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured.
- (2) Every such action shall be for the benefit of the dependants of the person (" the deceased ") whose death has been so caused.
- (3) In this Act " dependant " means—
 - (a) the wife or husband of the deceased,
 - (b) any person who is a parent or grandparent of the deceased,
 - (c) any person who is a child or grandchild of the deceased, and
 - (d) any person who is, or is the issue of, a brother, sister, uncle or aunt of the deceased.
- (4) In deducing any relationship for the purposes of subsection (3)—
 - (a) any relationship by affinity shall be treated as a relationship by consanguinity, any relationship of the half blood as a relationship of the whole blood, and the stepchild of any person as his child, and
 - (b) an illegitimate person shall be treated as the legitimate child of his mother and reputed father.
- (5) Any reference in this Act to injury includes any disease and any impairment of a person's physical or mental condition.