



# Damages (Scotland) Act 2011

## 2011 asp 7

### 14 Interpretation

- (1) In this Act, unless the context otherwise requires—
- “personal injuries” means—
- (a) any disease, and
  - (b) any impairment of a person’s physical or mental condition, and
- “relative”, in relation to a person who has died, means a person who—
- (a) immediately before the death is the deceased’s spouse or civil partner or is living with the deceased as if married to, or in civil partnership with, the deceased,
  - (b) is a parent or child of the deceased, accepted the deceased as a child of the person’s family or was accepted by the deceased as a child of the deceased’s family,
  - (c) is the brother or sister of the deceased or was brought up in the same household as the deceased and accepted as a child of the family in which the deceased was a child,
  - (d) is a grandparent or grandchild of the deceased, accepted the deceased as a grandchild of the person or was accepted by the deceased as a grandchild of the deceased,
  - (e) is an ascendant or descendant of the deceased (other than a parent or grandparent or a child or grandchild of the deceased),
  - (f) is an uncle or aunt of the deceased,
  - (g) is a child or other issue of—
    - (i) a brother or sister of the deceased, or
    - (ii) an uncle or aunt of the deceased, or
  - (h) is a former spouse or civil partner of the deceased having become so by virtue of divorce or (as the case may be) dissolution of the partnership.
- (2) In deducing a relationship for the purposes of the definition of “relative” in subsection (1)—
- (a) any relationship—
    - (i) by affinity is to be treated as a relationship by consanguinity,
    - (ii) of the half blood is to be treated as a relationship of the whole blood,
  - (b) a stepchild of a person is to be treated as the person’s child.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In any enactment passed or made before this Act, unless the context otherwise requires, any reference to—
- (a) solatium in respect of the death of any person (however expressed), or
  - (b) a loss of society award,
- is to be construed as a reference to an award under paragraph (b) of section 4(3).