

EXPLANATORY MEMORANDUM

LAW REFORM (MISCELLANEOUS PROVISIONS (ASBESTOS DISEASES)) BILL 2000 (No. E18)

(Introduced by Mr Graham, MLA)

The Bill amends the *Law Reform (Miscellaneous Provisions) Act 1941* to provide for the survival of claims for damages in certain causes of action in relation to asbestos-related conditions and for other purposes.

Clause 1 Short Title

The short title of the Bill is the *Law Reform (Miscellaneous Provisions (Asbestos Diseases)) Bill 2000*.

Clause 2 Purpose

The purpose of this Act is to amend the *Law Reform (Miscellaneous Provisions) Act 1941* to provide for the survival of claims for damages in certain causes of action in relation to dust-related conditions and to make other minor amendments to that Act.

Clause 3 Commencement

The Bill commences on Assent.

Clause 4 Survival of claims for damages in certain causes of action

Amends the principal Act to allow for the survival of damages actions for the benefit of the estate of a deceased person where the death is attributable to the inhalation of asbestos. Damages includes pain or suffering; any bodily harm or mental harm; the curtailment of expectation of life; and exemplary damages.