



LAWS OF MALAYSIA

Act A1591

CIVIL LAW (AMENDMENT) ACT 2019

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LAWS OF MALAYSIA

Act A1591

CIVIL LAW (AMENDMENT) ACT 2019

An Act to amend the Civil Law Act 1956.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Civil Law (Amendment) Act 2019.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 2

2. The Civil Law Act 1956 [*Act 67*], which is referred to as the “principal Act” in this Act, is amended in section 2 by inserting after the definition of “executor” the following definition:

“persons with disabilities” has the meaning assigned to it in the Persons with Disabilities Act 2008 [*Act 685*];’.

Amendment of section 7**3. Section 7 of the principal Act is amended—**

(a) by substituting for the shoulder note the following shoulder note:

“Compensation to persons entitled for loss occasioned by death”;

(b) in subsection (2), by substituting for the words “and child,” the words “child and any person with disabilities under the care,”;

(c) in the proviso to subsection (3)—

(i) in subparagraph (iv)(a)—

(A) by substituting for the words “fifty five years” the words “sixty years”; and

(B) by deleting the words “was in good health but for the injury that caused his death and”;

(ii) in subparagraph (iv)(d)—

(A) by substituting for the words “fifty four years” the words “fifty-nine years”; and

(B) by substituting for the words “figure 55” the words “figure 60”;

(d) in subsection (3A), by substituting for the word “ten” the word “thirty”;

(e) by substituting for subsection (3B) the following subsection:

“(3B) A claim for damages for bereavement shall only be for the benefit of—

(a) the spouse of the person deceased;

(b) the child of the person deceased; and

(c) the parents of the person deceased.”;

(f) in subsection (3C), by substituting for the words “paragraph (3B)(b) for the benefit of the parents of the person deceased” the words “subsection (3B)”;

(g) in subsection (4), by substituting for the words “paragraph (3B)(b)” the words “subsection (3B)”.

Amendment of section 11

4. Section 11 of the principal Act is amended—

(a) by renumbering the existing section as subsection (1); and

(b) by inserting after subsection (1) as renumbered the following subsections:

“(2) Where interest is awarded under subsection (1) for recovery of damages under section 6A of the Limitation Act 1953 [Act 254], the interest may be given for the whole or any part of the period between the starting date and the date of the judgement.

(3) For the purposes of subsection (2), “starting date” has the meaning assigned to it in the Limitation Act 1953.”.

Amendment of section 28A

5. Subsection 28A(2) of the principal Act is amended—

(a) in subparagraph (c)(i)—

(i) by substituting for the words “fifty-five years” the words “sixty years”; and

(ii) by deleting the words “was in good health but for the injury and”;

(b) in subparagraph (d)(ii)—

- (i) by substituting for the words “fifty-four years” the words “fifty-nine years”; and
- (ii) by substituting for the words “figure 55” the words “figure 60”.

Savings

6. (1) Any action or proceedings under sections 7 and 28A of the principal Act and matters relating to such action or proceedings commenced or pending immediately before the date of coming into operation of this Act shall, on the date of coming into operation of this Act, be continued as if the principal Act had not been amended by this Act.

(2) Any action commenced on or after the date of coming into operation of this Act of which the cause of action accrued before the date of coming into operation of this Act shall be continued as if the principal Act had not been amended by this Act.