

the carrier, be converted into the currency of Saorstát Éireann at the rate of exchange prevailing on the date on which the amount of any damages to be paid by the carrier is ascertained by the court.

(5) For the purposes of this section references to agents in the First Schedule to this Act shall be construed as including references to servants.

18.—Any liability imposed by Article 17 of the First Schedule to this Act on a carrier in respect of the death of a passenger shall be in substitution for any liability of the carrier in respect of the death of that passenger under any statute or at common law, and the following provisions shall have effect with respect to the persons by and for whose benefit the liability so imposed is enforceable and with respect to the manner in which it may be enforced, that is to say :—

Liability of carrier in the event of the death of a passenger.

- (a) the liability shall be enforceable for the benefit of such members of the passenger's family as sustained damages by reason of his death;
- (b) for the purposes of paragraph (a) of this section:—
 - (i) the expression " member of a family " means wife or husband, parent, stepparent, grandparent, brother, sister, half-brother, half-sister, child, step-child, grandchild,
 - (ii) in deducing any relationship any illegitimate person shall be treated as being, or as having been the legitimate child of his mother and reputed father;
- (c) an action to enforce the liability may be brought by the personal representative of the passenger or by any person for whose benefit the liability is under paragraph (a) of this section, enforceable, but only one action shall be brought in Saorstát Éireann in respect of the death of any one passenger and every such action by whomsoever brought shall be for the benefit of all such persons so entitled as either are resident in Saorstát Éireann or, not being resident there, express a desire to take the benefit of the action;
- (d) the amount which may be recovered in any such action shall not exceed the actual and the prospective loss resulting from such death to the members of the passenger's family;