

Title: Reflected damage (comparative study)

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Abstract

This study investigated the subject of damage, how to compensate throughout history, and what follows the direct damage of the reflected damage . Therefore, we have examined in detail and in-depth the subject of reflected damage, judgments and decisions associated with it, the comparative laws that embodied it, and the persons who can be considered affected by reflected damage such as relatives and the ones with whom he/she has a financial relationship with.

This study also studied and investigated how compensation is estimated and the entitlement to it in addition to the appropriate method of compensation by which the situation can be restored to its original status.

The aim of this study is to investigate the reflected damage, the nature of the damage, and to determine the conditions of the damage, the types of the damage, the types of compensation, elements of compensation, the time of compensation, and the Judicial discretion of the court.

The researcher adopted the comparative analytical approach as he relied on analyzing the legal texts related to the reflected damage- if any -and the texts related to the damage in general that are found in the judicial judgments, the Palestinian civil law and the comparative laws, and court decisions and judgments.

At the end of this study, the researcher's recommendations for the Palestinian legislator were offered as he clearly encouraged the Palestinian legislator to pass news laws and legal rules governing the provisions of the reflected damage as a part of the Palestinian Civil Law .He also supported the enacting of new provisions that should be followed by people who are affected by this type of damage in order for them to obtain compensation by the help of comparative laws.