



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 4

PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

Compensation

56 Compensation for voluntary compliance with request

- (1) A health board must compensate any person who, although not subject to an order mentioned in subsection (2), suffers any loss caused by complying with a request by the board to the person to—
 - (a) be quarantined in a place specified by the board;
 - (b) be excluded from entering or remaining in a place, or type of place, so specified; or
 - (c) refrain from carrying on any activity, or type of activity, so specified.
- (2) The orders referred to in subsection (1) are—
 - (a) an exclusion order;
 - (b) a restriction order;
 - (c) a quarantine order.
- (3) A request by a health board under subsection (1)—
 - (a) is to be made by notice in writing given to the person; and
 - (b) must specify the matter mentioned in subsection (1)(a), (b) or, as the case may be, (c).
- (4) Subsection (1) does not apply where the loss is attributable to the fault of the person claiming the loss.
- (5) Any dispute as to—
 - (a) a person's entitlement to compensation under this section; or
 - (b) the amount of such compensation,is to be determined by a single arbiter appointed by agreement between the board and the person claiming loss or, if such agreement cannot be reached, by the sheriff.

Changes to legislation: There are currently no known outstanding effects for the
Public Health etc. (Scotland) Act 2008, Section 56. (See end of Document for details)

- (6) The Scottish Ministers may, by regulations, make further provision about compensation to which this section applies.

Modifications etc. (not altering text)

- C1** [S. 56](#) modified (temp.) (24.3.2022 until the end of 31.10.2022) by [Coronavirus \(Discretionary Compensation for Self-isolation\) \(Scotland\) Act 2022 \(asp 2\)](#), **ss. 1(2)**, 6 (with **ss. 2-4**)

Commencement Information

- I1** [S. 56](#) in force at 1.10.2009 by [S.S.I. 2009/319](#), art. 2(a), **Sch. 1**

Changes to legislation:

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 56.