

Changes to legislation: There are currently no known outstanding effects for the Damages (Scotland) Act 2011. (See end of Document for details)

SCHEDULE 1 **S**

(introduced by section 15)

MINOR AND CONSEQUENTIAL AMENDMENTS

Sheriff Courts (Scotland) Act 1907 (c.51)

- 1 In Schedule 1 to the Sheriff Courts (Scotland) Act 1907 (ordinary court rules), in the definition of “relative” in rule 36.1(2), for the words “meaning assigned to it in Schedule 1 to the Damages (Scotland) Act 1976” there is substituted “ same meaning as in the Damages (Scotland) Act 2011 ”.

Commencement Information

- II** Sch. 1 para. 1 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Prescription and Limitation (Scotland) Act 1973 (c.52)

- 2 (1) In section 18 of the Prescription and Limitation (Scotland) Act 1973 (actions where death has resulted from personal injuries), in subsection (5), for the words “Schedule 1 to the Damages (Scotland) Act 1976” there is substituted “ the Damages (Scotland) Act 2011 ”.
- (2) In section 22C of that Act (actions under the Consumer Protection Act 1987 where death has resulted from personal injuries), in subsection (6), for the words “Damages (Scotland) Act 1976” there is substituted “ Damages (Scotland) Act 2011 ”.

Commencement Information

- I2** Sch. 1 para. 2 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Administration of Justice Act 1982 (c.53)

- 3 In section 13(1) of the Administration of Justice Act 1982 (supplementary), for the definition of “personal injuries” there is substituted—
- ““personal injuries” means—
- (a) any disease, and
 - (b) any impairment of a person's physical or mental condition;”.

Commencement Information

- I3** Sch. 1 para. 3 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Consumer Protection Act 1987 (c.43)

- 4 (1) In section 1 of the Consumer Protection Act 1987 (purpose and construction of Part 1), in subsection (2), for the words “Damages (Scotland) Act 1976” there is substituted “ Damages (Scotland) Act 2011 ”.
- (2) In section 6 of that Act (application of certain enactments etc.)—

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- (a) in subsection (1)(c), for the words “section 1 of the Damages (Scotland) Act 1976” there is substituted “ sections 3 to 6 of the Damages (Scotland) Act 2011 ”, and
- (b) in subsection (2), for the words “Damages (Scotland) Act 1976” there is substituted “ Damages (Scotland) Act 2011 ”.

Commencement Information

I4 Sch. 1 para. 4 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Coal Mining Subsidence Act 1991 (c.45)

- 5 In section 32 of the Coal Mining Subsidence Act 1991 (compensation for death or disablement), in subsection (2)(c), for the words “Damages (Scotland) Act 1976” there is substituted “ Damages (Scotland) Act 2011 ”.

Commencement Information

I5 Sch. 1 para. 5 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Merchant Shipping Act 1995 (c.21)

- 6 In Part 2 of Schedule 7 to the Merchant Shipping Act 1995 (Convention on Limitation of Liability for Maritime Claims 1976), in paragraph 6, for the words “Damages (Scotland) Act 1976” there is substituted “ Damages (Scotland) Act 2011 ”.

Commencement Information

I6 Sch. 1 para. 6 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Damages Act 1996 (c.48)

- 7 In section 7 of the Damages Act 1996 (interpretation), in subsection (2), for the words “meaning given by section 10(1) of the Damages (Scotland) Act 1976” there is substituted “ same meaning as in the Damages (Scotland) Act 2011 ”.

Commencement Information

I7 Sch. 1 para. 7 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Health and Social Care (Community Health and Standards) Act 2003 (c.43)

- 8 In Schedule 10 to the Health and Social Care (Community Health and Standards) Act 2003 (recovery of NHS charges: exempted payments), in paragraph 7, for the words “section 1 of the Damages (Scotland) Act 1976 (c.13)” there is substituted “ any of sections 4 to 6 of the Damages (Scotland) Act 2011 (asp 7) ”.

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I8 Sch. 1 para. 8 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

Companies Act 2006 (c.46)

9 In section 1030 of the Companies Act 2006 (when application to the court may be made), in subsection (6)(b)(ii), for the words “Damages (Scotland) Act 1976 (c.13)” there is substituted “ Damages (Scotland) Act 2011 (asp 7) ”.

Commencement Information

I9 Sch. 1 para. 9 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

SCHEDULE 2 **S**
(introduced by section 16)

REPEALS

Commencement Information

I10 Sch. 2 in force at 7.7.2011 by S.S.I. 2011/268, art. 3 (with art. 4)

| <i>Enactment</i> | <i>Extent of repeal</i> |
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| Damages (Scotland) Act 1976 (c.13) | The whole Act. |
| Administration of Justice Act 1982 (c.53) | Section 14. |
| Law Reform (Parent and Child) (Scotland) Act 1986 (c.9) | In Schedule 1, paragraph 15. |
| Damages (Scotland) Act 1993 (c.5) | The whole Act. |
| Protection from Harassment Act 1997 (c.40) | Section 8(8). |
| Civil Partnership Act 2004 (c.33) | In Schedule 30, in the consequential amendments for Scotland, the entry relating to the Damages (Scotland) Act 1976. |
| Family Law (Scotland) Act 2006 (asp 2) | Section 35. In schedule 2, paragraph 2. |
| Rights of Relatives to Damages (Mesothelioma) (Scotland) Act 2007 (asp 18) | The whole Act. |

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