

*These notes relate to the Prescription (Scotland) Act 2018
(asp 15) which received Royal Assent on 18 December 2018*

PRESCRIPTION (SCOTLAND) ACT 2018

EXPLANATORY NOTES

THE ACT – COMMENTARY ON SECTIONS

The structure of the Act

Section 16 – Consequential modifications

59. This section removes an amendment to the Prescription and Limitation (Scotland) Act 1973 Act (“the 1973 Act”) made in the recent Social Security (Scotland) Act 2018 (“the 2018 Act”) and the provision in the 2018 Act making that amendment. The amendment inserted a new provision into schedule 1 of the 1973 Act making recovery of devolved social security overpayments subject to a five-year prescription period. Such recovery will fall under the general rule contained at section 3.