

*Status: This version of this provision is prospective.*

**Changes to legislation:** Prescription (Scotland) Act 2018, Section 12 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



# Prescription (Scotland) Act 2018

## 2018 asp 15

*Miscellaneous*

PROSPECTIVE

### 12 Definition of “final disposal” of relevant claim

After section 9 of the 1973 Act insert—

#### “9A Definition of “final disposal” of relevant claim for purposes of sections 7, 8 and 9

- (1) For the purposes of sections 7, 8 and 9, a relevant claim is finally disposed of—
  - (a) when a decision disposing of the claim is made, if there is no right of appeal against the decision,
  - (b) if there is a right of appeal with leave or permission against such a decision—
    - (i) when the time period for seeking leave or permission to appeal has expired without an application for leave or permission having been made, or
    - (ii) when leave or permission to appeal is refused,
  - (c) if leave or permission to appeal against such a decision has been granted or is not required, when the time period for making an appeal has expired without an appeal having been made, or
  - (d) when the claim is withdrawn or abandoned.
- (2) In subsection (1)(a), the reference to a decision disposing of the claim includes a reference to a decision made in an appeal against an earlier decision.”

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**Changes and effects yet to be applied to :**

- s. 12 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)