



# Scottish Public Services Ombudsman Act 2002

2002 asp 11

## *Miscellaneous and general*

### **18 Protection from actions for defamation**

- (1) For the purposes of the law of defamation, the following are absolutely privileged—
- (a) any statement made by the Ombudsman in pursuance of section 11, 15, 16 or 17,
  - (b) any statement made by—
    - (i) the person aggrieved,
    - (ii) a person authorised for the purpose of subsection (1)(b) of section 9,
    - (iii) a person falling within subsection (3) of that section, or
    - (iv) a listed authority,in communicating with the Ombudsman for the purposes of this Act, or by the Ombudsman in communicating with any such person or authority for those purposes,
  - (c) any statement made in pursuance of arrangements under section 15(4) or 16(5).
  - [<sup>F1</sup>(d) any statement made by the Ombudsman in pursuance of section 11 of the 2015 Act,
  - (e) any statement made by the Ombudsman in communicating with any person for the purposes of a welfare fund review,
  - (f) any statement made by any person in communicating with the Ombudsman for the purposes of such a review.]
- (2) In subsection (1), “statement” has the same meaning as in the Defamation Act 1996 (c.31).

#### **Textual Amendments**

- F1** S. 18(1)(d)-(f) inserted (1.4.2016) by [Welfare Funds \(Scotland\) Act 2015 \(asp 5\)](#), ss. **13(4)**, **14(2)**; S.S.I. 2015/428, art. 2(2)

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Public Services Ombudsman Act 2002, Section 18.