



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.