



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 4

#### PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

##### *Compensation*

#### **58 Compensation for carers**

- (1) This section applies where a person (the “relevant person”)—
- (a) is subject to—
    - (i) an exclusion order;
    - (ii) a restriction order; or
    - (iii) a quarantine order; or
  - (b) although not subject to such an order, complies with a request mentioned in section 56.
- (2) The health board must compensate a person (a “carer”) mentioned in subsection (3) who, as a result of the relevant person being subject to the order or, as the case may be, complying with the request—
- (a) requires to care for the relevant person or, where the carer normally cares for the relevant person, requires to provide more care; and
  - (b) incurs loss as a result of so doing.
- (3) A carer is—
- (a) where the relevant person is 16 or over, a person who is 16 or over and who cares for the relevant person otherwise than—
    - (i) by virtue of a contract of employment or other contract with any person; or
    - (ii) as a volunteer for a voluntary organisation;
  - (b) where the relevant person is under 16, such a person or a parent of the relevant person who has day-to-day care or control of the relevant person.
- (4) Any dispute as to—
- (a) a carer’s entitlement to compensation under this section; or

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*Status: This is the original version (as it was originally enacted).*

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- (b) the amount of such compensation,  
is to be determined by a single arbiter appointed by agreement between the board and the carer or, if such agreement cannot be reached, by the sheriff.
- (5) The Scottish Ministers may, by regulations, make further provision about compensation to which this section applies.