



# Law Reform (Miscellaneous Provisions) (Scotland) Act 1990

## 1990 CHAPTER 40

### PART IV

#### MISCELLANEOUS REFORMS

##### *Liability in respect of services to injured persons*

#### **69 Future services to injured person.**

(1) For subsection (2) of section 8 of the <sup>M1</sup>Administration of Justice Act 1982 (services rendered to injured person) there shall be substituted the following subsections—

“(2) The injured person shall be under an obligation to account to the relative for any damages recovered from the responsible person under subsection (1) above.

(3) Where, at the date of an award of damages in favour of the injured person, it is likely that necessary services will, after that date, be rendered to him by a relative in consequence of the injuries in question, then, unless the relative has expressly agreed that no payment shall be made in respect of those services, the responsible person shall be liable to pay to the injured person by way of damages such sum as represents—

- (a) reasonable remuneration for those services; and
- (b) reasonable expenses which are likely to be incurred in connection therewith.

(4) The relative shall have no direct right of action in delict against the responsible person in respect of any services or expenses referred to in this section.”

(2) Without prejudice to Parts II and III of the <sup>M2</sup>Prescription and Limitation (Scotland) Act 1973, this section shall apply to rights accruing both before and after the date

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**Changes to legislation:** Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Cross Heading: Liability in respect of services to injured persons is up to date with all changes known to be in force on or before 14 May 2024. 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

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appointed for its coming into force, but shall not affect any proceedings commenced before that date.

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**Commencement Information**

**I1** S. 69 wholly in force at 1.3.1991 see s. 75 and S.I. 1991/330, art. 3

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**Marginal Citations**

**M1** 1982 c. 53.

**M2** 1973 c. 52.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21A(1)(c) words substituted by [2007 asp 5 Sch. 5 para. 3\(7\)\(a\)\(iii\)](#)
- s. 33(6) inserted by [2007 asp 5 Sch. 5 para. 3\(11\)](#)