



Damages (Scotland) Act 2011

2011 asp 7

5 Discharge of liability to pay damages: exception for mesothelioma

- (1) This section applies where—
- (a) the liability to pay damages to A (or to A's executor) is discharged, whether by antecedent agreement or otherwise, by A before A's death,
 - (b) the personal injury in consequence of which A died is mesothelioma, and
 - (c) the discharge and the death each occurred on or after 20th December 2006.
- (2) Liability arises under section 4(1) but is limited to the payment of such sum of damages as is mentioned in paragraph (b) of section 4(3).