



# Apologies (Scotland) Act 2016

## 2016 asp 5

### **2 Legal proceedings covered**

- (1) This Act applies to all civil proceedings except—
  - (a) inquiries (including joint inquiries) which the Scottish Ministers cause to be held under section 1 of the Inquiries Act 2005 or which they convert under section 15 of that Act into inquiries under that Act,
  - (b) proceedings under the Children’s Hearings (Scotland) Act 2011,
  - (c) inquiries under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, and
  - (d) defamation proceedings.
- (2) This Act does not apply to an apology made in accordance with the duty of candour procedure set out in Part 2 of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016.
- (3) This Act does not apply to criminal proceedings.
- (4) The Scottish Ministers may by regulations modify the exceptions in subsections (1) and (2) so as to add an exception, vary the description of an exception or remove an exception.
- (5) Regulations under subsection (4) are subject to the affirmative procedure.
- (6) Regulations under subsection (4) may include transitional, transitory or saving provision.