

*These notes relate to the Prescription (Scotland) Act 2018  
(asp 15) which received Royal Assent on 18 December 2018*

# **PRESCRIPTION (SCOTLAND) ACT 2018**

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## **EXPLANATORY NOTES**

### **THE ACT – COMMENTARY ON SECTIONS**

#### *The structure of the Act*

#### *Section 12 - Definition of “final disposal” of relevant claim*

45. [Section 12](#), by inserting a new section 9A into the 1973 Act, provides a definition of “final disposal” of a relevant claim which applies for the purposes of sections 7, 8 and 9 of the 1973 Act – see new section 9A(1).
46. New section 9A(2) makes clear that, in the case of an appeal decision, the question whether or not there is an onward right of appeal from that appeal decision must be examined in determining whether section 9A(1)(a) applies. For example, disposal of an appeal in the Inner House of the Court of Session is not necessarily a “final disposal”: whether it is depends on whether there is a right of appeal from that decision to the UK Supreme Court.