

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Prescription (Scotland) Act 2018, Section 1 is up to date with all changes known to be in force on or before 25 May 2023. 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*



# Prescription (Scotland) Act 2018

## 2018 asp 15

*5-year negative prescription*

PROSPECTIVE

### **1 Obligations to pay damages and delictual obligations**

- (1) The Prescription and Limitation (Scotland) Act 1973 (“the 1973 Act”) is amended as follows.
- (2) In schedule 1 (obligations affected by prescriptive periods of five years under section 6), in paragraph 1, for sub-paragraph (d) substitute—
  - “(d) to any obligation to pay damages (whatever the source of the obligation);
  - (da) to any obligation arising from delict, not being an obligation falling within any other provision of this paragraph;”.
- (3) In section 11 (obligations to make reparation)—
  - (a) in subsection (1), for the words from “(whether” to “reparation” substitute “to pay damages (whatever the source of the obligation) ”,
  - (b) the section title becomes “Obligations to pay damages ”.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

Prescription (Scotland) Act 2018, Section 1 is up to date with all changes known to be in force on or before 25 May 2023. 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 1 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)