



Prescription (Scotland) Act 2018

2018 asp 15

Miscellaneous

12 Definition of “final disposal” of relevant claim

After section 9 of the 1973 Act insert—

“9A Definition of “final disposal” of relevant claim for purposes of sections 7, 8 and 9

- (1) For the purposes of sections 7, 8 and 9, a relevant claim is finally disposed of—
 - (a) when a decision disposing of the claim is made, if there is no right of appeal against the decision,
 - (b) if there is a right of appeal with leave or permission against such a decision—
 - (i) when the time period for seeking leave or permission to appeal has expired without an application for leave or permission having been made, or
 - (ii) when leave or permission to appeal is refused,
 - (c) if leave or permission to appeal against such a decision has been granted or is not required, when the time period for making an appeal has expired without an appeal having been made, or
 - (d) when the claim is withdrawn or abandoned.
- (2) In subsection (1)(a), the reference to a decision disposing of the claim includes a reference to a decision made in an appeal against an earlier decision.”.