



# Defamation and Malicious Publication (Scotland) Act 2021

2021 asp 10

## PART 2

### MALICIOUS PUBLICATION

#### *General provision*

#### **26 Damages for anxiety and distress**

- (1) In determining the appropriate amount of damages to award in proceedings under this Part, the court may take into account any distress and anxiety caused to the pursuer by the statement complained of.
- (2) This section does not limit any other basis of claim for damages or remedy that may be available to a pursuer in proceedings under this Part.

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#### **Commencement Information**

**II** [S. 26](#) in force at 8.8.2022 by [S.S.I. 2022/154](#), [regs. 1\(2\), 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Defamation and Malicious Publication (Scotland) Act 2021, Section 26.