***Changes to legislation:*** *Tied Pubs (Scotland) Act 2021, Cross Heading: Exemption from liability for damages is up to date with all changes known to be in force on or before 25 August 2024. 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*

# SCHEDULE 2
## SCOTTISH PUBS CODE ADJUDICATOR

## PART 1

### STATUS AND LIABILITY

*Exemption from liability for damages*

3 (1) The following are exempt from liability in damages for any act or omission in the exercise (or purported exercise) of their functions—
  (a) the adjudicator,
  (b) persons working as the adjudicator's staff.

(2) Sub-paragraph (1) does not exempt a person from liability for doing, or not doing, something that is shown to have been done, or as the case may be not done, in bad faith.

(3) Sub-paragraph (1) does not prevent an award of damages being made in respect of an act or omission on the ground that it was unlawful as a result of section 6(1) of the Human Rights Act 1998.

**Commencement Information**

**I1** Sch. 2 para. 3 in force at 30.4.2024 by S.S.I. 2024/113, **reg. 2(c)**

**Changes to legislation:**
Tied Pubs (Scotland) Act 2021, Cross Heading: Exemption from liability for damages is up to date with all changes known to be in force on or before 25 August 2024. 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 the whole Act associated Parts and Chapters:**
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 14(4)(5) inserted by S.S.I. 2024/189 art. 2(3)