

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021, Cross Heading: Exemption from liability for damages. (See end of Document for details)

PROSPECTIVE

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.

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