

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

*Changes to legislation: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, Section 10 is up to date with all changes known to be in force on or before 01 March 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*



# United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

2024 asp 1

## PART 2

### DUTIES ON PUBLIC AUTHORITIES

#### *Remedies for unlawful acts*

PROSPECTIVE

#### **10 Restriction on proceedings in respect of judicial acts**

- (1) Proceedings under section 7(1)(a) in respect of a judicial act may be brought only—
  - (a) by exercising a right of appeal,
  - (b) on an application to the supervisory jurisdiction of the Court of Session, or
  - (c) in a case where proceedings in respect of the judicial act could not be brought under paragraph (a) or (b), in the Court of Session.
- (2) Subsection (1) does not affect any enactment or rule of law which prevents a court or tribunal from being subject to the supervisory jurisdiction of the Court of Session.
- (3) In proceedings under this Act, damages may not be awarded in respect of a judicial act done in good faith.
- (4) In this section, “judicial act” means a judicial act of a court or tribunal and includes an act done on the instructions, or on behalf, of a judge or a member of a tribunal.

#### **Commencement Information**

- II** S. 10 comes into force in accordance with s. 47(2)

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

- s. 10 coming into force by [2024 asp 1 s. 47\(2\)](#)