



# Prescription (Scotland) Act 2018

## 2018 asp 15

### PRESCRIPTION (SCOTLAND) ACT 2018

#### *5-year negative prescription*

- 1 Obligations to pay damages and delictual obligations
- 2 Obligations related to contract
- 3 Statutory obligations
- 4 Effect of fraud or error on computation of prescriptive period
- 5 Start point of prescriptive period for obligations to pay damages

#### *20-year negative prescription*

- 6 Obligations: 20-year prescriptive period and extension
- 7 Property rights: 20-year prescriptive period and extension
- 8 Start point of prescriptive period for obligations to pay damages

#### *Miscellaneous*

- 9 Saving for other statutory provisions about prescription or limitation
- 10 Definition of “relevant claim”
- 11 Prescriptive periods under sections 6 and 8A: interruption by relevant claim
- 12 Definition of “final disposal” of relevant claim
- 13 Restrictions on contracting out
- 14 Burden of proof

#### *General*

- 15 Ancillary provision
- 16 Consequential modifications
- 17 Commencement
- 18 Short title

**Changes to legislation:**

Prescription (Scotland) Act 2018 is up to date with all changes known to be in force on or before 14 May 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 :**

- s. 1 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 2 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 3 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 4 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 6 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 7 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 8 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 9 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 10 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 11 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 12 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 14 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)
- s. 16 coming into force by [S.S.I. 2022/78 reg. 2\(1\)](#)