



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 1

POLICE

CHAPTER 1

THE SCOTTISH POLICE SERVICES AUTHORITY

The Scottish Crime and Drug Enforcement Agency

22 Liability for wrongful acts of police members of the Agency

- (1) The Director General of the Agency is liable in reparation in respect of any wrongful act or omission on the part of any police member in the performance or purported performance of the member's functions in the same manner as an employer is liable in respect of a wrongful act or omission on the part of the employer's employee in the course of the employee's employment.
- (2) The Authority is to pay—
 - (a) any damages or expenses awarded against the Director General of the Agency in any proceedings brought against the Director General by virtue of this section and any expenses incurred by the Director General in any proceedings so brought so far as not recovered by the Director General in those proceedings;
 - (b) any sum required in order to enable the Director General of the Agency to settle any claim made against the Director General by virtue of this section, if the settlement is approved by the Authority.
- (3) Any proceedings in respect of a claim made by virtue of this section may be brought only against the Director General of the Agency for the time being or, in the case of a vacancy in that office, against the person for the time being performing the functions

Status: This is the original version (as it was originally enacted).

of the Director General; and references in this section to the Director General of the Agency are to be construed accordingly.

- (4) The Authority may, in such cases and to such extent as appear to it to be appropriate, pay—
- (a) any damages or expenses awarded against a police member in proceedings arising from any wrongful act or omission on the part of the member;
 - (b) any expenses incurred and not recovered by such a member in such proceedings; and
 - (c) any sum required in connection with the settlement of any claim that has or might have given rise to such proceedings.
- (5) Any reference in this section to a police member is a reference to a person appointed as a police member of the Agency in accordance with paragraph 7 of schedule 2.