



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 1

THE LISTS

General and supplementary

41 Protection from actions for damages

- (1) No proceedings are competent in respect of any loss or damage incurred by any person because of—
- (a) the fact that an individual is or is not listed,
 - (b) the fact that Ministers have or have not considered whether to list an individual,
 - (c) the provision of information in pursuance of any of sections 3 to 8 and 18 to 20.
- (2) Subsection (1)(c) does not apply if the provider of the information—
- (a) knew, or was reckless as to whether, it was untrue or misleading in a material respect, and
 - (b) provided it—
 - (i) in purported compliance with any of sections 3 to 8 and 18 to 20, or
 - (ii) in other circumstances in which the provider knew, or could reasonably be expected to have known, that it would be used by Ministers, or provided to them for use, in connection with the performance of their functions under this Part.