



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 4

#### PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

##### *Compensation*

#### **56 Compensation for voluntary compliance with request**

- (1) A health board must compensate any person who, although not subject to an order mentioned in subsection (2), suffers any loss caused by complying with a request by the board to the person to—
  - (a) be quarantined in a place specified by the board;
  - (b) be excluded from entering or remaining in a place, or type of place, so specified; or
  - (c) refrain from carrying on any activity, or type of activity, so specified.
- (2) The orders referred to in subsection (1) are—
  - (a) an exclusion order;
  - (b) a restriction order;
  - (c) a quarantine order.
- (3) A request by a health board under subsection (1)—
  - (a) is to be made by notice in writing given to the person; and
  - (b) must specify the matter mentioned in subsection (1)(a), (b) or, as the case may be, (c).
- (4) Subsection (1) does not apply where the loss is attributable to the fault of the person claiming the loss.
- (5) Any dispute as to—
  - (a) a person's entitlement to compensation under this section; or
  - (b) the amount of such compensation,is to be determined by a single arbiter appointed by agreement between the board and the person claiming loss or, if such agreement cannot be reached, by the sheriff.

---

*Status: This is the original version (as it was originally enacted).*

---

- (6) The Scottish Ministers may, by regulations, make further provision about compensation to which this section applies.