



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *Protections and limitations*

#### **20 Protections and limitations**

- (1) Nothing in this Act prejudices—
  - (a) the exercise of clinical judgement,
  - (b) the effective and efficient use of the health service organisation and resources.
- (2) Subject to subsection (3), nothing in this Act prejudices any other enactment or rule of law.
- (3) Nothing in this Act gives rise to—
  - (a) any liability to pay damages,
  - (b) any right of action for specific implement,
  - (c) any right of action for specific performance of a statutory duty,
  - (d) any right of action for interdict,
  - (e) any right of action for suspension.
- (4) The rights conferred on a patient by this Act are in addition to, and do not affect, any other rights in relation to health care that a patient has, or may acquire, under any other enactment or rule of law.
- (5) Subsection (4) does not affect the generality of subsection (2).
- (6) In this section, references to this Act include references to orders, regulations and directions made under this Act.