



Prescription and Limitation (Scotland) Act 1973

1973 CHAPTER 52

An Act to replace the Prescription Acts of 1469, 1474 and 1617 and make new provision in the law of Scotland with respect to the establishment and definition by positive prescription of title to interests in land and of positive servitudes and public rights of way, and with respect to the extinction of rights and obligations by negative prescription; to repeal certain enactments relating to limitation of proof; to re-enact with modifications certain enactments relating to the time-limits for bringing legal proceedings where damages are claimed which consist of or include damages or solatium in respect of personal injuries or in respect of a person's death and the time-limit for claiming contribution between wrongdoers; and for purposes connected with the matters aforesaid. [25th July 1973]

Modifications etc. (not altering text)

- C1 Act amended by Self-Governing Schools etc. (Scotland) Act 1989 (c. 39, SIF 41:2), **s. 39(4)(a)**
- C2 Act modified (21.2.2009) by Banking Act 2009 (Parts 2 and 3 Consequential Amendments) Order 2009 (S.I. 2009/317), arts. 1, 3, **Sch.**
- C3 Act applied (with modifications) (8.2.2011) by The Investment Bank Special Administration Regulations 2011 (S.I. 2011/245), reg. 1, **Sch. 6 Pt. 1** (with reg. 27(a))
- C4 Act applied (with modifications) by 1998 c. 41, **s. 47E(2)(b)** (as inserted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), Sch. 8 para. 8(1) (with **Sch. para. 8(2)**); S.I. 2015/1630, **art. 3(j)**)
- C5 Act applied (1.10.2015) by Consumer Rights Act 2015 (c. 15), **ss. 46(9)**, 100(5); S.I. 2015/1630, art. 3(a) (with art. 6(1))
- C6 Act modified (26.2.2018) by Contract (Third Party Rights) (Scotland) Act 2017 (asp 5), **ss. 10(1)**, 13(2) (with s. 3(2)); S.S.I. 2018/8, reg. 2
- C7 Act applied (with modifications) (8.7.2021) by The Payment and Electronic Money Institution Insolvency Regulations 2021 (S.I. 2021/716), reg. 2, Sch. 3 paras. 2, 3 (with reg. 5) (as amended (4.1.2024) by The Payment and Electronic Money Institution Insolvency (Amendment) Regulations 2023 (S.I. 2023/1399), regs. 1(2), 4

Changes to legislation: Prescription and Limitation (Scotland) Act 1973, Introductory Text is up to date with all changes known to be in force on or before 24 March 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. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Act not in force at Royal Assent, see [s. 25\(2\)](#); Act wholly in force at 25.7.1976.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(4A) inserted by [2018 asp 15 s. 4\(3\)](#)
- s. 7(3)-(5) inserted by [2018 asp 15 s. 6\(2\)\(b\)](#)
- s. 7A inserted by [2018 asp 15 s. 9\(2\)](#)
- s. 8(1A)-(1C) inserted by [2018 asp 15 s. 7\(3\)](#)
- s. 9(1)(e)-(h) inserted by [2018 asp 15 s. 10\(2\)\(b\)](#)
- s. 9(2A) inserted by [2018 asp 15 s. 11\(2\)](#)
- s. 9A inserted by [2018 asp 15 s. 12](#)
- s. 13A inserted by [2018 asp 15 s. 14\(2\)](#)
- s. 22A(3)(d)-(g) inserted by [2018 asp 15 s. 10\(3\)\(b\)](#)
- s. 22A(7A) inserted by [2018 asp 15 s. 14\(3\)](#)
- s. 32(2) applied (with modifications) by [2021 asp 9 s. 69\(8\)](#)
- Sch. 1 para. 1(fa)(fb) inserted by [2018 asp 15 s. 2\(2\)](#)
- Sch. 1 para. 1(h) inserted by [2018 asp 15 s. 3\(2\)\(b\)](#)
- Sch. 1 para. 2(fa)-(fd) inserted by [2018 asp 15 s. 3\(3\)\(b\)](#)
- Sch. 1 para. 1(d)(da) substituted for Sch. 1 para. 1(d) by [2018 asp 15 s. 1\(2\)](#)
- Sch. 1 para. 2(e)(ea) substituted for Sch. 1 para. 2(e) by [2018 asp 15 s. 3\(3\)\(a\)](#)