

*These notes relate to the Damages (Investment Returns and Periodical Payments)
(Scotland) Act 2019 (asp 4) which received Royal Assent on 24 April 2019*

DAMAGES (INVESTMENT RETURNS AND PERIODICAL PAYMENTS) (SCOTLAND) ACT 2019

EXPLANATORY NOTES

THE ACT

4. The Act puts in place a statutory methodology for calculating the discount rate which should, where necessary, be used in the assessment of future pecuniary losses in personal injury cases; establishes a timeframe for the review of the discount rate; and provides that the task of reviewing the rate falls to the Government Actuary. It also gives courts the power to impose periodical payment orders for damages for future pecuniary loss and makes other provision about the making of periodical payment orders and about periodical payments.
5. The Act amends the Damages Act 1996 (“the 1996 Act”).