



# Prescription and Limitation (Scotland) Act 1973

## CHAPTER 52

### PRESCRIPTION AND LIMITATION (SCOTLAND) ACT 1973

#### PART I

#### PRESCRIPTION

##### *Positive prescription*

- 1 Interests in land: general
- 2 Interests in land: special cases
- 3 Positive servitudes and public rights of way
- 4 Judicial interruption of periods of possession for purposes of sections 1, 2 and 3
- 5 Further provisions supplementary to sections 1, 2 and 3

##### *Negative Prescription*

- 6 Extinction of obligations by prescriptive periods of five years
- 7 Extinction of obligations by prescriptive periods of twenty years
- 8 Extinction of other rights relating to property by prescriptive periods of twenty years
- 9 Definition of "relevant claim" for purposes of sections 6, 7 and 8
- 10 Relevant acknowledgment for purposes of sections 6 and 7
- 11 Obligations to make reparation
- 12 Savings
- 13 Prohibition of contracting out

*General*

- 14 Computation of prescriptive periods
- 15 Interpretation of Part I
- 16 Amendments and repeals related to Part I

**PART II**

## LIMITATION OF ACTIONS

- 17 General provision as to limitation of actions
- 18 Extension of time-limit for certain actions
- 19 Extension of time-limit for certain actions brought after death of injured person
- 20 Time-Emit for claiming contribution between wrongdoers
- 21 Transitional provisions
- 22 Interpretation of Part II and supplementary provisions
- 23 Amendments and repeals related to Part II

**PART III**

## SUPPLEMENTAL

- 24 The Crown
- 25 Short title, commencement and extent

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**SCHEDULES****SCHEDULE 1 — Obligations Affected by Prescriptive Periods of Five Years under Section 6**

- 1 Subject to paragraph 2 below, section 6 of this Act...
- 2 Notwithstanding anything in the foregoing paragraph, section 6 of this...
- 3 (1) Subject to sub-paragraph (2) below, where by virtue of...
- 4 In this Schedule— (a) " land obligation " has the...

**SCHEDULE 2 — Appropriate Dates for Certain Obligations for Purposes of Section 6**

- 1 (1) This paragraph applies to any obligation, not being part...
- 2 (1) This paragraph applies to any obligation to repay the...
- 3 (1) This paragraph applies to any obligation under a contract...
- 4 (1) This paragraph applies to any obligation—

**SCHEDULE 3 — Rights and Obligations which are Imprescriptible for the Purposes of Sections 7 and 8 and Schedule 1****SCHEDULE 4 — Enactments Amended****PART I — AMENDMENT TAKING EFFECT ON EXPIRATION OF THREE YEARS FROM PASSING OF THIS ACT***The Limitation (Enemies and War Prisoners) Act 1945 (8 & 9 Geo. 6 c. 16)***PART II — AMENDMENTS TAKING EFFECT ON PASSING OF THIS ACT**

*The Limitation (Enemies and War Prisoners) Act 1945 (8 & 9 Geo. 6 c. 16)*

*The Carriage by Air Act 1961 (9 & 10 Eliz. 2 c. 27)*

*The Law Reform (Miscellaneous Provisions) Act 1971 (1971 c. 43)*

SCHEDULE 5 — Repeals

PART I — REPEALS COMING INTO FORCE ON EXPIRATION OF THREE YEARS  
FROM PASSING OF THIS ACT

PART II — REPEALS COMING INTO FORCE ON PASSING OF THIS ACT