



# Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021

## 2021 asp 15

### PART 5 **S**

#### OTHER SUPPORT FOR SURVIVORS OF ABUSE

##### *Provision of support*

#### **89** Provision of support to persons in connection with an application **S**

- (1) The Scottish Ministers may make arrangements (contractual or otherwise) for or in connection with the provision of support to persons who—
  - (a) are, or may be, considering making an application for a redress payment, or
  - (b) have decided to make, or have made, such an application.
- (2) In this section, “support” means such emotional, psychological or practical support as the Scottish Ministers consider necessary given the person's needs in connection with—
  - (a) the decision whether to make an application,
  - (b) the making of an application.

#### **Commencement Information**

**II** [S. 89](#) in force at 28.6.2021 by [S.S.I. 2021/234](#), [reg. 2](#), [sch.](#)

#### **90** Provision of support to certain persons eligible for a payment etc. **S**

- (1) The Scottish Ministers may make arrangements (contractual or otherwise) for or in connection with the provision of support to persons who meet one or more of the following—
  - (a) the conditions in subsection (2),
  - (b) the conditions in subsection (3), or
  - (c) the condition in subsection (4).

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**Changes to legislation:** There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Cross Heading: Provision of support. (See end of Document for details)

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- (2) The conditions in this subsection are that—
- (a) the person has applied for a redress payment other than a next of kin payment,
  - (b) the panel appointed under section 35 to determine the application or, as the case may be, the review panel appointed under section 55 to conduct a review has determined that the person is eligible for a redress payment, and
  - (c) either of the following sub-paragraphs applies—
    - (i) the person has accepted an offer of a redress payment by signing and returning a waiver under section 46, or
    - (ii) the person is not receiving a payment only because of the deduction of a relevant payment in accordance with section 42(4).
- (3) The conditions in this subsection are that—
- (a) the person has applied for a redress payment other than a next of kin payment,
  - (b) the panel appointed under section 35 to determine the application or, as the case may be, the review panel appointed under section 55 to conduct a review has determined under section 60 that the person is precluded from being offered a redress payment, and
  - (c) that panel or, as the case may be, a review panel appointed to conduct a review under section 62 has determined that the person would otherwise have been eligible for a redress payment.
- (4) The condition in this subsection is that the person has previously received a payment under the advance payment scheme.
- (5) In this section, “support” means such emotional or psychological support in connection with the abuse to which the application relates as the Scottish Ministers consider necessary, given the person's needs, and for such period as they consider appropriate.

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**Commencement Information**

**12** S. 90 in force at 28.6.2021 by S.S.I. 2021/234, reg. 2, sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Cross Heading: Provision of support.