



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

2021 asp 15

## PART 2

### OPERATION OF THE REDRESS SCHEME

#### *Contributions to the redress scheme*

#### **14 Scheme contributors**

- (1) The Scottish Ministers must establish and maintain a list of public authorities, voluntary organisations and other persons (other than individuals)—
  - (a) who exercise or have exercised functions in relation to the safeguarding or promotion of the welfare of children or the protection or furthering of their interests,
  - (b) who, in the opinion of Ministers, are making or have agreed to make a fair and meaningful financial contribution towards the funding of redress payments under this Act, and
  - (c) who, in making or agreeing to make such a contribution, acknowledge the wrongfulness of, and the harm caused by, the historical child abuse which took place in relevant care settings.
- (2) In this Act—
  - (a) the list established and maintained under subsection (1) is the “contributor list”, and
  - (b) a public authority, voluntary organisation or other person (other than an individual) included from time to time in the list is a “scheme contributor”.
- (3) The contributor list must record, in relation to each scheme contributor—
  - (a) the date on which the scheme contributor is included in the list,
  - (b) the financial contribution the scheme contributor is making or has agreed to make,
  - (c) where a scheme contributor is removed from the list, the date on which the removal takes effect, and

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*Status: This is the original version (as it was originally enacted).*

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- (d) where a scheme contributor is removed from the list with retrospective effect in accordance with section 16, that fact.
- (4) The contributor list may include such other information as the Scottish Ministers consider appropriate, including, in so far as known in relation to each scheme contributor—
  - (a) the relevant care settings the scheme contributor was involved with (whether as owner, manager or otherwise) or in which the contributor placed children for whom the contributor was responsible, and
  - (b) the dates between which the scheme contributor was involved with or placed children in those care settings.
- (5) The Scottish Ministers must ensure that applicants for redress payments are made aware of the contributor list and of the effect of signing and returning a waiver under section 46.
- (6) The Scottish Ministers may revise the contributor list by—
  - (a) including a public authority, voluntary organisation or other person (other than an individual) in the list as a scheme contributor,
  - (b) varying the description of a scheme contributor,
  - (c) removing a scheme contributor from the list (whether with retrospective effect or otherwise),
  - (d) including information in the list about payments made by a scheme contributor in respect of the financial contribution the contributor is making or has agreed to make,
  - (e) modifying such information,
  - (f) modifying other information in the list, including information relating to the relevant care settings recorded in it.
- (7) The Scottish Ministers must publish the contributor list (including the list as revised) at such intervals, and in such form, as they consider appropriate.
- (8) Removal of a scheme contributor from the contributor list by virtue of subsection (6) (c) does not affect any waiver signed and returned under section 46 in relation to that scheme contributor unless and to the extent that the removal has retrospective effect.
- (9) For the purposes of other proceedings—
  - (a) the fact of a public authority, voluntary organisation or other person becoming a scheme contributor, and
  - (b) the giving, by that authority, organisation or other person, of the acknowledgement required by subsection (1)(c) in order to become such a scheme contributor,

are not to be taken as evidence of anything relevant to the determination of any question of liability in connection with an allegation of abuse.