



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

2021 asp 15

PART 4

FINANCIAL REDRESS: REDRESS PAYMENTS

CHAPTER 1

DETERMINATION OF APPLICATIONS FOR REDRESS PAYMENTS

Payment levels

40 Next of kin payment

- (1) A next of kin payment is a payment of the relevant share of the fixed rate payment.
- (2) For the purpose of subsection (1), the relevant share is—
 - (a) in the case of an application by the spouse, civil partner or cohabitant of the person in respect of whom the application is made (“the deceased person”), the whole amount,
 - (b) in the case of an application by a child of the deceased person, the whole amount divided by the total number of surviving children of the deceased person at the date that the first (or, as the case may be, only) application for a next of kin payment is made in respect of the deceased person by a child of the deceased person.

Commencement Information

II [S. 40](#) in force at 7.12.2021 by [S.S.I. 2021/419](#), [reg. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Section 40.