



# 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 of redress payment*

#### **49 Period for which offer valid**

- (1) An applicant to whom an offer of a redress payment is made under section 36 may—
  - (a) bring the application to an end by accepting the offer in accordance with section 50(1), or
  - (b) request a review of the offer in accordance with section 54.
- (2) If neither of the actions specified in subsection (1) is taken within the period for which the offer is valid, the application is to be treated as having been brought to an end by the offer being rejected unless it is continued by virtue of section 66(1).
- (3) The period for which the offer is valid is—
  - (a) the period of 6 months beginning with the date on which the offer was received by the applicant, or
  - (b) where the panel appointed under section 35 to determine the application is satisfied that there is a good reason why the applicant needs, or may need, longer to consider whether or not to accept the offer, such longer period as the panel determines.
- (4) Where an application is treated as having been brought to an end by virtue of subsection (2), the panel previously appointed under section 35 to determine it, or such

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**Status:** Point in time view as at 07/12/2021.

**Changes to legislation:** There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Section 49. (See end of Document for details)

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other panel as the chairing member of Redress Scotland determines, may revive the application if it considers that there are exceptional circumstances which merit it.

- (5) Where an application is revived by virtue of subsection (4)—
- (a) the offer of a redress payment previously made in relation to it is also revived, and
  - (b) the period for which the revived offer is valid is such period as the panel determines.

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**Commencement Information**

**II** S. 49 in force at 7.12.2021 by [S.S.I. 2021/419](#), **reg. 2**

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