



# 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*

#### **50 Acceptance of offer and making of payments**

- (1) An offer of a redress payment is accepted—
  - (a) by the applicant to whom the offer is made signing and returning a waiver to the Scottish Ministers under section 46, or
  - (b) in a case where section 46(2) applies to the applicant, by the applicant giving the Scottish Ministers notice in writing that the offer is accepted.
- (2) Entitlement to a redress payment from the Scottish Ministers arises where—
  - (a) an offer of a redress payment is accepted in accordance with subsection (1), and
  - (b) the Scottish Ministers are satisfied that the applicant has abandoned or will abandon any civil proceedings to the extent they are relevant civil proceedings in accordance with the waiver signed and returned under section 46.
- (3) A redress payment is to be paid by the Scottish Ministers—
  - (a) in such instalments as are agreed at the request of, or otherwise with the consent of, the applicant, or
  - (b) otherwise, as a single payment.
- (4) In this section, “relevant civil proceedings” has the meaning given by section 46.

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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, Section 50. (See end of Document for details)*

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### **Commencement Information**

**II** [S. 50](#) 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 50.