



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

2021 asp 15

PART 4 **S**

FINANCIAL REDRESS: REDRESS PAYMENTS

CHAPTER 2 **S**

REVIEW OF REDRESS PAYMENT DETERMINATIONS

54 Right to a review **S**

- (1) This section applies where—
 - (a) an applicant has received notification of a determination under section 36, and
 - (b) where an offer of a redress payment was made under that section, the applicant has not brought the application to an end by accepting the offer.
- (2) The applicant may request a review of the determination to the extent that it is a determination that—
 - (a) the applicant is not eligible for a redress payment under section 37(2),
 - (b) the applicant is to be offered a particular amount by way of an individually assessed payment, or
 - (c) a particular amount is to be deducted in accordance with section 42 from the redress payment offered to the applicant (including where the amount to be deducted is such that the redress payment is reduced to zero).
- (3) A request for a review must—
 - (a) be made to the Scottish Ministers,
 - (b) be made before the end of the period of 8 weeks beginning with the date on which notice of the determination was received by the applicant,
 - (c) be made in such form, if any, as Ministers require,
 - (d) specify why a review is being requested, and

Changes to legislation: There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Section 54. (See end of Document for details)

- (e) contain or be accompanied by any information the applicant considers relevant.
- (4) The Scottish Ministers must, as soon as reasonably practicable after receiving a request for a review, provide the request, and any information accompanying it, to Redress Scotland.
- (5) A review may be conducted despite the request for it not being made within the period mentioned in subsection (3)(b) if Redress Scotland is satisfied that the applicant has a good reason for not requesting a review sooner (whether or not the application to which it relates is one which has been brought to an end by virtue of section 49(2)).
- (6) The Scottish Ministers must publicise any requirements which are for the time being set under subsection (3)(c).

Commencement Information

II [S. 54](#) in force at 7.12.2021 by [S.S.I. 2021/419](#), [reg. 2](#)

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