



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

## 2021 asp 15

### PART 4

#### FINANCIAL REDRESS: REDRESS PAYMENTS

### CHAPTER 4

#### DEATH OF APPLICANT

#### **69 Outcome of a section 68 review**

- (1) On a review under section 68, the review panel appointed under section 55 to conduct it—
  - (a) must consider—
    - (i) whether the panel which determined, under section 66(3), whether or not to invite the nominated beneficiary to take over the application ought to have reached a different determination, and
    - (ii) in a case where additional evidence is provided to or obtained by the review panel, whether the application ought to be determined differently as a result,
  - (b) may uphold or reverse the determination.
- (2) Once the review panel has conducted the review, Redress Scotland must inform the Scottish Ministers who must, as soon as reasonably practicable—
  - (a) notify the nominated beneficiary of the review panel's determination, and
  - (b) provide the nominated beneficiary with a summary, provided by Redress Scotland, of the review panel's reasons for reaching that determination.
- (3) Where the review panel reverses the determination in respect of which the review was requested, the Scottish Ministers must invite the nominated beneficiary to take over the application.

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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 69. (See end of Document for details)

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- (4) Where the review panel determines that the nominated beneficiary is to be invited to take over the application, the application is to be treated as having been continued by virtue of section 66(3).
- (5) The determination of the review panel under this section is final.

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**Commencement Information**

**II** [S. 69](#) in force at 7.12.2021 by [S.S.I. 2021/419](#), [reg. 2](#)

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