



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

2021 asp 15

PART 4

FINANCIAL REDRESS: REDRESS PAYMENTS

CHAPTER 6

PROVISION OF INFORMATION AND EVIDENCE

80 Power to obtain information about previous payments

- (1) The Scottish Ministers may, for the purpose of calculating any relevant payments to be deducted from a redress payment in accordance with section 42, by notice in writing require a person, other than an applicant, to provide the Scottish Ministers, on or before a specified date, with details of a relevant payment.
- (2) A notice under subsection (1) may, in particular, require the provision of the following details—
 - (a) the date on which the payment was made or, as the case may be, an entitlement to it arose,
 - (b) the amount of the payment,
 - (c) the matter to which the payment related.
- (3) A notice under subsection (1) must specify the name and date of birth of the applicant, or the person in respect of whom the application is made, to whom the relevant payment relates.
- (4) A notice does not have effect to the extent that—
 - (a) complying with the notice would involve the disclosure of information which would contravene the data protection legislation, or
 - (b) the person to whom the notice applies would be entitled to refuse to comply with the notice in or for the purposes of proceedings in a court in Scotland.

Status: This is the original version (as it was originally enacted).

- (5) In this section, “the data protection legislation” has the meaning given by section 3(9) of the Data Protection Act 2018.