



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

2021 asp 15

PART 5

OTHER SUPPORT FOR SURVIVORS OF ABUSE

Payment of fees for legal work

94 Sections 92 and 93: further provision

- (1) A request under section 92(1) or 93(1) or (3) is referred to in this Act as a “fee payment request”.
- (2) A fee payment request may be made only by a solicitor who has acted for a person in relation to an application for a redress payment, or a proposed application, submitting a request to the Scottish Ministers.
- (3) The Scottish Ministers may by regulations—
 - (a) make further provision about fee payment requests, including about—
 - (i) the time limit for making a request,
 - (ii) any steps that must be taken prior to making a request (including any assessment of whether those steps have been taken and notification and review of the outcome of that assessment),
 - (iii) the required content and form of a request,
 - (iv) the information and evidence to be provided in or with a request,
 - (b) make provision about legal work, undertaken in connection with particular types of advice and assistance, which is or is not to be regarded as reasonably undertaken for the purpose of assessing whether a sum is to be paid.
- (4) For the purpose of sections 92(1) and 93(1), “prescribed”, in relation to a sum, means prescribed by the Scottish Ministers in regulations under this subsection.
- (5) Regulations under subsection (3) may modify any enactment (including this Act).

Changes to legislation: There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Section 94. (See end of Document for details)

(6) Regulations under subsection (4) may prescribe sums or scales of sums and the conditions under which such sums will be payable.

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Commencement Information

I1 S. 94(1)(2) in force at 7.12.2021 by S.S.I. 2021/419, **reg. 2**

I2 S. 94(3)-(6) in force at 28.6.2021 by S.S.I. 2021/234, **reg. 2, sch.**

Changes to legislation:

There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Section 94.