
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2022 No.

The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) (Scotland) Order 2022

Claim for compensation

- 6.—(1) The claim form to be used for the purposes of this article is set out in the schedule .
- (2) A person who has surrendered a zombie knife and meets the conditions in article 4(3) may make a claim to the Scottish Ministers using the claim form.
- (3) The claimant must submit the claim form at the same time as the zombie knife is surrendered.
- (4) The claim form must contain—
- (a) the claimant’s full name, date of birth and address,
 - (b) details of the bank account into which any compensation is to be paid, if the payment is to be made by electronic transfer,
 - (c) the number of zombie knives surrendered,
 - (d) the unique reference number contained on the receipt issued under article 5(1),
 - (e) the amount of compensation sought, and
 - (f) a declaration that the claimant is the legal owner of the zombie knife and that it was lawfully acquired.
- (5) An officer must forward a claim form submitted in accordance with paragraph (3) to the Scottish Ministers.
- (6) A claimant may seek compensation for a surrendered zombie knife which is higher than the level of compensation provided at article 4(2).
- (7) If a claimant seeks compensation for a zombie knife which is higher than the level of compensation provided at article 4(2), the claimant must provide sufficient evidence of the valuation of that zombie knife to enable the Scottish Ministers to determine the claim.
- (8) Evidence of a valuation of a zombie knife may include—
- (a) a valuation from an auction house,
 - (b) evidence of the price paid for the purchase of the zombie knife and the date of purchase, or
 - (c) published evidence of the value of the zombie knife.
- (9) If not satisfied that the evidence of valuation supplied under paragraph (7) is sufficient to enable a determination of the claim to be made, the Scottish Ministers may request additional evidence to be supplied.