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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

**The Surrender of Offensive Weapons  
(Compensation) (Scotland) Regulations 2022**

**Claim for compensation**

- 5.—(1) The claim form to be used for the purposes of this regulation is set out in schedule 2.
- (2) A person who has surrendered a weapon and meets the conditions in regulation 3(2) 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 weapon 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 weapons surrendered,
  - (d) the unique reference number contained on the receipt issued under regulation 4(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 weapon which is higher than the standard level of compensation provided for that weapon in schedule 1.
- (7) If a claimant seeks compensation for a weapon which is higher than the standard level of compensation for that weapon, the claimant must provide sufficient evidence of the valuation of the weapon to enable the Scottish Ministers to determine the claim.
- (8) Evidence of a valuation of a weapon may include—
- (a) a valuation from an auction house,
  - (b) evidence of the price paid for the purchase of the weapon and the date of purchase, or
  - (c) published evidence of the value of the weapon.
- (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.