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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

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

**Determination and payment of claims**

6.—(1) The Scottish Ministers must determine a claim made under regulation 5 as soon as reasonably practicable.

(2) The Scottish Ministers must determine the amount of compensation payable in accordance with paragraphs (3) to (8).

(3) The amount of compensation payable for a weapon, if any, is the standard level of compensation, unless the claimant has claimed a higher amount of compensation.

(4) Where the claimant has sought a higher amount of compensation than the standard level of compensation for that weapon, the Scottish Ministers must determine the amount payable, if any, taking account of the valuation evidence supplied.

(5) Subject to paragraph (6), no compensation is payable in respect of a claim which amounts to less than £30.

(6) The Scottish Ministers may pay compensation in respect of a weapon surrendered during the required period which amounts to less than £30 if—

- (a) the claimant has surrendered a zombie knife in accordance with arrangements made under article 3(1) of the 2022 Order,
- (b) the claimant surrendered that zombie knife within the required period provided at article 1(3) of the 2022 Order,
- (c) the claimant has made a claim for compensation in respect of that weapon under article 6(3) of the 2022 Order, and
- (d) the total value of the claim for the zombie knife surrendered in accordance with arrangements made under article 3(1) of the 2022 Order (as determined in accordance with the 2022 Order) and the claim for the surrendered weapon (as determined in accordance with these Regulations) amounts to £30 or more.

(7) If satisfied that compensation is payable under this regulation, the Scottish Ministers must—

- (a) notify the claimant in writing of the amount of compensation that the Scottish Ministers consider is payable and give reasons for the decision, and
- (b) make payment of the amount determined either—
  - (i) to the bank account nominated for this purpose on the claim form, or
  - (ii) by cheque sent to the address provided on the claim form.

(8) If not satisfied that compensation is payable, the Scottish Ministers must notify the claimant in writing that no compensation is to be paid and give reasons for the decision.