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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 44**

**The Redress for Survivors (Historical Child Abuse in Care) (Reconsideration and Review of Determinations) (Scotland) Regulations 2022**

**PART 2**

**LEGAL FEES IN CONNECTION WITH RECONSIDERATION AND REVIEW**

**Reviews of assessments of fee payment requests**

**8.—**(1) A solicitor may request that Redress Scotland review its assessment of a fee payment request under regulation 7(2) where—

- (a) in the case of a fee payment request mentioned in regulation 2(1)(a), the outcome is that no sum is to be paid,
- (b) in the case of a fee payment request mentioned in regulation 2(1)(b), the outcome is that—
  - (i) no additional sum is to be paid, or
  - (ii) the additional sum to be paid is lower than the sum requested.

(2) A request to Redress Scotland to review its assessment of a fee payment request must—

- (a) be made by completing and submitting to the Scottish Ministers a form to be provided by the Scottish Ministers for that purpose,
- (b) be made before the end of the period of 8 weeks beginning with the date on which notice of the outcome of the fee payment request was received by the solicitor,
- (c) specify why a review is being requested, and
- (d) contain or be accompanied by any information the solicitor considers relevant to the review requested.

(3) The Scottish Ministers must, as soon as reasonably practicable after receiving a request for a review, provide the request and any information accompanying it to Redress Scotland.

(4) A review may be conducted despite the request for it not being made within the period mentioned in paragraph (2)(b) if Redress Scotland is satisfied that the person had good reason for not requesting a review sooner.

(5) Where a request for a review is submitted in a case mentioned in paragraph (1)(b)(ii), payment of the additional sum, so far as not already made, is to be suspended pending the determination of the review.