



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

2021 asp 15

## PART 3

### ELIGIBILITY AND KEY CONCEPTS

#### *Eligibility to apply for redress payments*

#### **18 Eligibility to apply for a redress payment**

- (1) A person may apply for a redress payment if the person or, in the case of an application for a next of kin payment, the person in respect of whom the application is made was abused while—
  - (a) a child, and
  - (b) resident in a relevant care setting in Scotland.
- (2) The abuse must have occurred before 1 December 2004.
- (3) In this Act, “child” means a person under the age of 18 years.
- (4) But subsection (3) does not apply, in relation to an application for a next of kin payment, to a reference to a child of a deceased person.
- (5) This section is subject to section 23.