

These notes relate to the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 (asp 15) which received Royal Assent on 23 April 2021

REDRESS FOR SURVIVORS (HISTORICAL CHILD ABUSE IN CARE) (SCOTLAND) ACT 2021

EXPLANATORY NOTES

DETAILED PROVISIONS

Part 4: Financial redress: redress payments

Chapter 1: Determination of applications for redress payments

Deduction of previous payments

Section 44: Information about previous payments from applicant

127. Section 44 sets out that applicants must provide the Scottish Ministers with information about relevant payments they (or the person to whom the application relates) received or are entitled to before their application is determined. The term “relevant payment” is defined in section 42 and relates to payments in respect of abuse of the person in question which is covered under the redress scheme. Subsection (2) sets out the information to be provided about relevant payments. Subsection (2)(e) states that the Scottish Ministers may make regulations about other information which must be provided in relation to relevant payments. Any such regulations are subject to the negative procedure. The Scottish Ministers must pass information about relevant payments to Redress Scotland (subsection (3)). Information about relevant payments can also be obtained directly from third parties under section 80.