

---

DRAFT SCOTTISH STATUTORY INSTRUMENTS

---

**2022 No.**

**REDRESS SCHEME**

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

*Made* - - - - 2022  
*Coming into force* 2022

THE REDRESS FOR SURVIVORS (HISTORICAL CHILD ABUSE IN CARE) (RECONSIDERATION AND REVIEW OF DETERMINATIONS) (SCOTLAND) REGULATIONS 2022

PART 1

GENERAL

1. Citation, commencement and interpretation

PART 2

LEGAL FEES IN CONNECTION WITH RECONSIDERATION AND REVIEW

2. Payment of fees for legal work in connection with reconsideration and review
3. Fee payment requests
4. Time limit for fee payment requests
5. Prior approval to undertake legal work in exceptional or unexpected circumstances
6. Review of assessment of prior approval
7. Assessment and notification of certain fee payment requests
8. Reviews of assessments of fee payment requests
9. Fee review panels
10. Procedure for a fee review
11. Outcome of a fee review
12. Withdrawal of request for review made under regulation 8

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The Redress for Survivors (Historical Child Abuse in Care) (Reconsideration and Review of Determinations) (Scotland) Regulations 2022 No. 44*

### PART 3

#### COSTS AND EXPENSES IN CONNECTION WITH RECONSIDERATION AND REVIEW

13. Reimbursement of costs and expenses in connection with reconsideration and review
14. Review of a decision in relation to a reimbursement request
15. Reimbursement review panels
16. Procedure for a reimbursement review
17. Outcome of a reimbursement review
18. Withdrawal of reimbursement review request

### PART 4

#### PAYMENTS AND REIMBURSEMENTS MADE IN ERROR

19. Liability for payments made and costs and expenses reimbursed due to error
20. Reconsideration of decisions to pay fees for legal work, costs and expenses
21. Review of a reconsideration outcome
22. Withdrawal of review request

### PART 5

#### MODIFICATIONS OF THE ACT

23. Amendment of section 46 of the Act - waiver
24. Amendment of section 75 of the Act – reconsideration of determination where possible material error
25. Effect of reconsideration on ongoing applications etc.
26. Amendment of section 77 of the Act – outcome of a section 76 review
27. Withdrawal of section 76 review request etc.

Signature

---

SCHEDULE — Table of Fees

Explanatory Note