



Social Security (Scotland) Act 2018

2018 asp 9

PART 1

TENETS AND OVERSIGHT

Accountability

22 Commission functions

- (1) The Scottish Commission on Social Security has the following functions—
 - (a) to scrutinise legislative proposals in accordance with section 97,
 - (b) to prepare and submit to the Scottish Ministers a report on any matter, relevant to social security, that the Ministers request the Commission to report on,
 - (c) to prepare and submit to the Scottish Parliament a report on any matter, relevant to social security, that the Commission is requested to report on by the Parliament after the Parliament has resolved that the request should be made,
 - (d) to prepare and submit to the Ministers and the Parliament, from time to time, a report containing—
 - (i) an assessment of the extent to which any or all of the expectations set out in the Scottish social security charter are being fulfilled, and
 - (ii) recommendations for improvement where the assessment is that those expectations are not being fulfilled,
 - (e) any functions the Ministers confer on the Commission by regulations.
- (2) In performing any of the functions mentioned in subsection (1), the Commission may have regard to any relevant international human rights instruments (see also section 97(6)).
- (3) The Commission must make publicly available by such means as it considers appropriate any report that it prepares in pursuance of a function mentioned in subsection (1).
- (4) The Commission must consider preparing a report under subsection (1)(d) if it receives evidence which suggests that expectations set out in the charter are frequently not being fulfilled.

Status: Point in time view as at 10/12/2019.

Changes to legislation: Social Security (Scotland) Act 2018, Section 22 is up to date with all changes known to be in force on or before 02 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) In subsection (2), “international human rights instruments”—
- (a) means any international convention, treaty or other international instrument ratified by the United Kingdom, subject to—
 - (i) any amendments in force in relation to the United Kingdom for the time being, and
 - (ii) any reservations, objections or interpretative declarations by the United Kingdom for the time being in force, and
 - (b) includes, in particular, the International Covenant on Economic, Social and Cultural Rights adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.

Commencement Information

- II** S. 22 in force at 21.1.2019 by [S.S.I. 2018/393](#), [reg. 2](#) (with [reg. 3](#)) (as amended (10.12.2019) by [S.S.I. 2019/406](#), [regs. 1, 3\(2\)](#))

Status:

Point in time view as at 10/12/2019.

Changes to legislation:

Social Security (Scotland) Act 2018, Section 22 is up to date with all changes known to be in force on or before 02 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.