



Social Security (Scotland) Act 2018

2018 asp 9

PART 2

GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

CHAPTER 3

DETERMINING ENTITLEMENT

Appeal against the Scottish Ministers' determination

48 **Deadline for appealing**

- (1) An appeal under section 46—
- (a) may be brought without the First-tier Tribunal's permission if an appeal application is made within the period of 31 days beginning with the day the relevant event occurred,
 - (b) may be brought only with the First-tier Tribunal's permission if an appeal application is made after the period mentioned in paragraph (a),
 - (c) may not be brought if an appeal application has not been made within the period of one year beginning with the day the relevant event occurred [^{F1}(but see section 52A)].
- (2) In subsection (1)—
- (a) “the relevant event” means—
 - (i) in the case of an appeal against a determination under section 43, the individual to whom the determination relates being informed of it in accordance with section 44,
 - (ii) in the case of an appeal against a determination under section 37, the individual to whom the determination relates being informed (in accordance with section 45) that the individual has the right to appeal against it,
 - (b) an appeal application is made when a form, that relates to the determination in question and has been completed to the extent that Scottish Tribunal

Changes to legislation: *Social Security (Scotland) Act 2018, Section 48 is up to date with all changes known to be in force on or before 03 July 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) View outstanding changes*

Rules require, is received by the Scottish Ministers having been submitted in accordance with section 47(1).

- (3) The First-tier Tribunal may give permission under subsection (1)(b) for an appeal to be brought only if it is satisfied that there is a good reason for the application not having been made sooner.

Textual Amendments

- F1** Words in s. 48(1)(c) inserted (7.4.2020) by [Coronavirus \(Scotland\) Act 2020 \(asp 7\), s. 17\(1\), sch. 7 para. 3](#) (with ss. 11-13)

Commencement Information

- I1** S. 48 in force at 22.10.2018 by [S.S.I. 2018/298, reg. 2\(1\)\(g\)](#) (with [reg. 3](#)) (as amended (10.12.2019) by [S.S.I. 2019/406, regs. 1, 2\(2\)](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81(4C) inserted by [2021 asp 20 s. 2\(a\)](#)
- s. 85D inserted by [2020 asp 18 s. 2\(6\)](#)