

These notes relate to the Social Security Administration and Tribunal Membership (Scotland) Act 2020 (asp 18) which received Royal Assent on 10 November 2020

SOCIAL SECURITY ADMINISTRATION AND TRIBUNAL MEMBERSHIP (SCOTLAND) ACT 2020

EXPLANATORY NOTES

OVERVIEW

Part 1: Social Security Administration

Section 6: Transitional provision in consequence of section 5

58. Section 6 of the Act makes transitional provision which is required as a consequence of the changes made by section 5. Subsection (1) sets out that anything done under section 75 or 76 of the 2018 Act is now to be treated as having been done under section 84A or 84B respectively (as those sections have been re-numbered by section 5). Subsection (2) provides that references to section 75 or 76 of the 2018 Act in any enactment or other document are to be read as referring instead to section 84A or 84B respectively.
59. Section 6(3) allows Scottish Ministers to publish a new code of practice (formerly done under section 76 of the 2018 Act but now done under section 84B) without the need to meet the consultation requirements set out at section 84B(3), as long as the only amendments to the new code of practice are to reflect the re-numbering changes made by section 5 of the Act. This will allow any code of practice already published when these changes come into force to be revised, if considered appropriate, to refer to the provisions as re-numbered by section 5 without there being a requirement for the Scottish Ministers to carry out a public consultation on those changes.