



Social Security Administration and Tribunal Membership (Scotland) Act 2020

2020 asp 18

PART 1

SOCIAL SECURITY ADMINISTRATION

Identifying possible eligibility

9 Duty to inform about possible eligibility

- (1) The Social Security (Scotland) Act 2018 is modified as follows.
- (2) Section 53 is—
 - (a) moved to after section 84B (and the italic heading immediately preceding it moves with it), and
 - (b) re-numbered 84C.
- (3) In section 84C—
 - (a) in subsection (1), after “assistance”, where it first appears, insert “under Part 2 or (as the case may be) regulations under section 79,”,
 - (b) in subsection (2)(b)(ii), after “52” insert “, or (as the case may be) section 79”,
 - (c) in subsection (3), after “54(1)” insert “, or (as the case may be) regulations under section 79”,
 - (d) for paragraphs (a) and (b) of subsection (4) substitute—
 - “(a) where the determination mentioned in subsection (1) relates to an individual’s entitlement to assistance under Part 2—
 - (i) a different type of assistance described in Chapter 2 of that Part from the type of assistance that the determination mentioned in subsection (1) relates to,
 - (ii) the same type of assistance as that determination relates to, but in respect of a different period or (as the case may be) event, or
 - (iii) assistance under regulations under section 79,

Status: This is the original version (as it was originally enacted).

- (b) where the determination mentioned in subsection (1) relates to an individual's entitlement to assistance under regulations under section 79—
 - (i) a different type of assistance described in regulations under section 79 from the type of assistance that the determination mentioned in subsection (1) relates to,
 - (ii) the same type of assistance as that determination relates to, but in respect of a different period or (as the case may be) event, or
 - (iii) a type of assistance described in Chapter 2 of Part 2.”.

10 Transitional provision in consequence of section 9

- (1) Anything done under section 53 of the Social Security (Scotland) Act 2018 (“the 2018 Act”) is to be treated as having been done under section 84C of that Act.
- (2) And any reference to section 53 of the 2018 Act in any enactment or other document is to be read accordingly.