



Social Security (Scotland) Act 2018

2018 asp 9

PART 2

GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

CHAPTER 3

DETERMINING ENTITLEMENT

Re-determination by the Scottish Ministers

44 Notice of re-determination

- (1) Having made a determination under section 43 of an individual's entitlement to a particular type of assistance, the Scottish Ministers must—
- (a) inform the individual—
 - (i) of the determination,
 - (ii) of the reasons for it,
 - (iii) of the individual's right to appeal to the First-tier Tribunal under section 46 against the determination,
 - (iv) if relevant, that the individual has the right to request a copy of an assessment report under section 60, and
 - (b) provide the individual with a form that the individual can complete and submit to the Scottish Ministers in order to bring an appeal against the determination.
- (2) The Scottish Ministers must fulfil their duty under subsection (1)(a) in a way that leaves the individual with a record of the information which the individual can show to, or otherwise share with, others.

Commencement Information

- II** S. 44 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\(2\)](#))

Changes to legislation:

Social Security (Scotland) Act 2018, Section 44 is up to date with all changes known to be in force on or before 29 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.

[View outstanding changes](#)

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\(6\)](#)