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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 442**

**The Social Security Administration and Tribunal  
Membership (Scotland) Act 2020 (Commencement  
No. 5 and Transitional Provisions) Regulations 2021**

**Transitional provision in respect of appointments under the 2018 Act**

**3.—(1)** Any appointment made by the Scottish Ministers under section 58(1) of the 2018 Act, which has not been terminated under section 58(7) of that Act, is to be treated on and after 24 January 2022 as though made by the Scottish Ministers under section 85B(1) of the 2018 Act, in accordance with the requirements in subsection (3)(b) of that section.

(2) Where paragraph (1) applies—

- (a) anything done by an appointee under section 58(6)(a) of the 2018 Act is to be treated as having been done under section 85B(9)(a) of that Act,
- (b) anything requested or given by the Scottish Ministers under section 58(6)(b) or (c) of the 2018 Act is to be treated as having been requested or given by them under section 85B(9)(b) or (c) of that Act, and
- (c) the appointment under section 85B(1) is to be treated as having been made on the date the appointment was made by the Scottish Ministers under section 58(1) of the 2018 Act.