
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Social Security (Scotland) Act 2018 (Disability Assistance and Information-Sharing) (Consequential Provision and Modifications) Order 2022

PART 6

Information-sharing: England and Wales, and Scotland

Information-sharing: Secretary of State and the Scottish Ministers

18.—(1) This paragraph applies to information which is held by the Secretary of State in connection with determining any of the following—

- (a) whether a person meets the description in regulation 9(4)(c) (minimum ages for holding or obtaining licences) of the Motor Vehicles (Driving Licences) Regulations 1999⁽¹⁾,
- (b) whether a vehicle is a vehicle to which paragraph 1ZA(2A) of Schedule 1 (annual rates of duty) to the Vehicle Excise and Registration Act 1994⁽²⁾ applies,
- (c) whether a disabled person satisfies paragraph 19(2)(aab) (vehicles for disabled people) of Schedule 2 (exempt vehicles) to the Vehicle Excise and Registration Act 1994⁽³⁾.

(2) Information to which paragraph (1) applies may be supplied by the Secretary of State to the Scottish Ministers to enable the Scottish Ministers to supply, under paragraph (4), information required in connection with determining the matters mentioned in paragraph (1).

(3) This paragraph applies to information which is held by the Scottish Ministers for the purpose of a relevant Scottish social security function.

(4) Information to which paragraph (3) applies may be supplied by the Scottish Ministers to the Secretary of State for use for the purpose of determining the matters mentioned in paragraph (1).

(5) In paragraphs (1) to (4)—

- (a) references to the Secretary of State include a person providing services to the Secretary of State,
- (b) references to the Scottish Ministers include a person providing services to the Scottish Ministers.

(6) Information supplied under this article must not be supplied by the recipient of the information to any other person without—

- (a) the authority of the Secretary of State, in the case of information supplied under paragraph (2),

(1) [S.I. 1999/2864](#); relevant amending instrument is [S.I. 2013/2184](#). Paragraph (4)(c) is inserted by article 8 of this Order.
(2) [1994 c. 22](#). Paragraph 1ZA was added by paragraph 5 of Schedule 37 to the Finance Act 2013 (c. 29).
(3) [1994 c. 22](#). Paragraph 19 is relevantly amended by paragraph 6 of Schedule 37 to the Finance Act 2013 (c. 29), [S.I. 2021/886](#) and this Order. Sub-paragraph (2)(aab) is inserted by article 6(4)(a) of this Order.

(b) the authority of the Scottish Ministers, in the case of information supplied under paragraph (4).

(7) Where information supplied under this article has been used for the purpose for which it was supplied, it is lawful for the information to be used by the recipient for any other purposes for which information held for that purpose could lawfully be used.

(8) In this article, “relevant Scottish social security function” means a function of the Scottish Ministers under regulations made under section 31 (disability assistance) of the Social Security (Scotland) Act 2018.