
STATUTORY INSTRUMENTS

2021 No. 1188

The Social Security (Scotland) Act 2018 (Information-Sharing and Disability Assistance) (Consequential Provision and Modifications) Order 2021

PART 2

Information-sharing

Information-sharing: Secretary of State

3.—(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 fulfils the requirements set out in regulation 9(4B) (minimum ages for holding or obtaining licences) of the Motor Vehicles (Driving Licences) Regulations 1999⁽¹⁾,
- (b) whether a disabled person satisfies paragraph 19(2)(aaa) (vehicles for disabled people) of Schedule 2 (exempt vehicles) to the Vehicle Excise and Registration Act 1994⁽²⁾.

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

(1) [S.I. 1999/2864](#); relevant amending instrument is [S.I. 2013/2184](#). Paragraph (4B) is added by article 5 of this Order.
(2) [1994 c. 22](#); paragraph 19(2)(aaa) was inserted by article 8 of [S.I. 2021/886](#).

(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 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 2018 Act.

Information-sharing: Department for Communities in Northern Ireland

4.—(1) Information held by the Department for Communities for the purpose of a social security function may be supplied by the Department for Communities to the Scottish Ministers for use for the purpose of a relevant Scottish social security function.

(2) Where information supplied to the Scottish Ministers under paragraph (1) has been used for the purpose of a relevant Scottish social security function, it is lawful for the Scottish Ministers to use the information for any other purposes for which information held by them for that purpose could be used.

(3) Information held by the Scottish Ministers for the purpose of a relevant Scottish social security function may be supplied by them to the Department for Communities for use for the purpose of a social security function.

(4) Where information supplied to the Department for Communities under paragraph (3) has been used for the purpose of a social security function, it is lawful for the Department for Communities to use the information for any other purposes for which information held by the Department for that purpose could be used.

(5) In paragraphs (1) to (4)—

- (a) references to the Department for Communities include a person providing services to the Department for Communities,
- (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 Department for Communities, in the case of information supplied under paragraph (1),
- (b) the authority of the Scottish Ministers, in the case of information supplied under paragraph (3).

(7) In this article—

“Department for Communities” means the Department for Communities in Northern Ireland,
“social security function” means a function of the Department for Communities relating to social security,

“relevant Scottish social security function” means a function of the Scottish Ministers under the 2018 Act and any regulations made under it.