

Changes to legislation: Social Security (Scotland) Act 2018, Paragraph 1 is up to date with all changes known to be in force on or before 21 March 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. (See end of Document for details) [View outstanding changes](#)

SCHEDULE 10 SHORT-TERM ASSISTANCE REGULATIONS

PART 1

ELIGIBILITY

Entitlement to other assistance being reviewed

- 1 (1) The regulations must be framed so that an individual is eligible for short-term assistance if—
- (a) the individual is, or was, entitled to a particular type of assistance (other than short-term assistance) under a determination made on the basis that the individual has ongoing entitlement,
 - (b) that determination has been superseded by a determination under section 37 with the result that the individual—
 - (i) is no longer entitled to the type of assistance in question, or
 - (ii) is entitled to less assistance of the type in question,
 - (c) the individual's entitlement to the type of assistance in question is under review, and
 - (d) any further eligibility rules prescribed in the regulations are satisfied in the individual's case.
- (2) An individual's entitlement to a particular type of assistance is under review within the meaning of sub-paragraph (1)(c) if—
- (a) the individual has, under section 41, requested a re-determination of the individual's entitlement to the type of assistance in question and—
 - (i) the Scottish Ministers have yet to make a determination of the individual's entitlement under section 43, and
 - (ii) the individual has not, since requesting the re-determination, made an appeal to the First-tier Tribunal against a determination of the individual's entitlement, or
 - (b) the individual has, under section 46, appealed to the First-tier Tribunal against a determination of the individual's entitlement to the type of assistance in question and the First-tier Tribunal has yet to make a decision under section 49, or
 - (c) the First-tier Tribunal is considering, under section 48(1)(b), whether to give permission for the individual to bring an appeal against a determination of the individual's entitlement to the type of assistance in question.

Commencement Information

- II** Sch. 10 para. 1 in force at 8.10.2020 by [S.S.I. 2020/295](#), **reg. 2(d)**

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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\(6\)](#)