



# Social Security (Scotland) Act 2018

## 2018 asp 9

### PART 1

#### TENETS AND OVERSIGHT

##### *Assessments*

#### **13 Assessors to be suitably qualified**

- (1) The Scottish Ministers must ensure that any assessment to which subsection (2) applies is carried out by a suitably qualified person.
- (2) This subsection applies to an assessment that—
  - (a) is arranged—
    - (i) by the Scottish Ministers,
    - (ii) in connection with making a determination of what assistance an individual is eligible to be given through the Scottish social security system, and
  - (b) is an assessment of physical condition or mental health.
- (3) The Scottish Ministers may by regulations specify who is to be regarded as a suitably qualified person within the meaning of subsection (1) by reference to a person's—
  - (a) training,
  - (b) experience, or
  - (c) holding a particular position.
- (4) Regulations under subsection (3) must make different provision about who is suitably qualified to carry out an assessment depending on what the assessment is about.