



Social Security (Scotland) Act 2018

2018 asp 9

PART 1

TENETS AND OVERSIGHT

Charter

16 Preparing the first charter

- (1) The Scottish Ministers are to prepare the charter within 6 months of this section coming into force.
- (2) In preparing the charter, the Scottish Ministers must consult such persons as they consider appropriate.
- (3) The Scottish Ministers must ensure, as far as is reasonably practicable, that the persons consulted include, in particular, a representative proportion of persons such as are mentioned in subsection (4)(a)(i), (ii) and (iv) who have—
 - (a) a physical impairment,
 - (b) a mental impairment.
- (4) The persons consulted must include—
 - (a) individuals who are in receipt of—
 - (i) disability living allowance as provided for by sections 71 to 76 of the Social Security Contributions and Benefits Act 1992,
 - (ii) personal independence payment as provided for by Part 4 of the Welfare Reform Act 2012,
 - (iii) severe disablement allowance as provided for by sections 68 and 69 of the Social Security Contributions and Benefits Act 1992,
 - (iv) attendance allowance as provided for by section 64 of that Act,
 - (v) industrial injuries benefits within the meaning of Part 5 of that Act,
 - (vi) child benefit as provided for by Part 9 of that Act,
 - (vii) carer's allowance as provided for by section 70 of that Act,
 - (viii) payments under section 138 of that Act in respect of—
 - (A) maternity expenses,

Changes to legislation: Social Security (Scotland) Act 2018, Section 16 is up to date with all changes known to be in force on or before 08 January 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](#)

- (B) funeral expenses,
 - (C) heating expenses, and
- (b) persons who work with or represent individuals living in households whose income is adversely affected, or whose expenditure is increased, because a member of the household has one or more protected characteristics within the meaning of section 4 of the Equality Act 2010.
- (5) For the purpose of subsection (2), it is immaterial that anything done by way of consultation was done before the Bill for this Act was passed or after that but before this section comes into force.
- (6) The Scottish Ministers may not make the charter unless a draft of it has been laid before, and approved by resolution of, the Scottish Parliament.

Commencement Information

- II** S. 16 in force at 22.10.2018 by [S.S.I. 2018/298](#), [reg. 2\(1\)\(c\)](#) (with [reg. 3](#)) (as amended (10.12.2019) by [S.S.I. 2019/406](#), [regs. 1, 2\(2\)](#))

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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\(6\)](#)