



Social Security (Scotland) Act 2018

2018 asp 9

PART 2

GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

CHAPTER 4

FURTHER PROVISION ABOUT DETERMINING ENTITLEMENT

Obtaining information to make determination

54 **Obligation to provide information on request**

- (1) When—
 - (a) the Scottish Ministers are determining an individual's entitlement to assistance (whether under section 37 or 43), and
 - (b) they require further information in order to satisfy themselves about any matter material to the making of the determination,they may request that the individual provide them with the information within such period as they specify.
- (2) If the individual fails to provide the requested information by the end of the specified period the Scottish Ministers may, without further consideration, proceed to make the determination on the basis that the eligibility rules prescribed in the applicable regulations are not satisfied in the individual's case (see section 50).
- (3) For the avoidance of doubt, the information which the Scottish Ministers may request an individual to provide under subsection (1) includes the results of an assessment, including one which the individual has not undergone at the time the request is made.