



Social Security (Scotland) Act 2018

2018 asp 9

PART 4

FURTHER PROVISION IN CONNECTION WITH PARTS 2 AND 3

[^{F1}Identifying possible eligibility]

[^{F1}84C] Duty to inform about possible eligibility

- (1) Subsection (2) applies if, in the course of their making a determination of an individual's entitlement to assistance [^{F2}under Part 2 or (as the case may be) regulations under section 79,] it appears to the Scottish Ministers that the individual may be eligible for other assistance.
- (2) The Scottish Ministers must—
 - (a) inform the individual that the individual may be eligible for the other assistance, and
 - (b) either—
 - (i) provide the individual with information about how to apply for it, or
 - (ii) if regulations under section 52 [^{F3}, or (as the case may be) section 79] so allow, ask the individual whether they should proceed with making a determination of the individual's entitlement to the other assistance without receiving an application.
- (3) Subsection (2)(b)(ii) does not preclude the Scottish Ministers from requesting further information under section 54(1) [^{F4}, or (as the case may be) regulations under section 79] for the purpose of determining the individual's entitlement to the other assistance.
- (4) In this section, “other assistance” means—
 - [^{F5}(a) where the determination mentioned in subsection (1) relates to an individual's entitlement to assistance under Part 2—
 - (i) a different type of assistance described in Chapter 2 of that Part from the type of assistance that the determination mentioned in subsection (1) relates to,

Changes to legislation: Social Security (Scotland) Act 2018, Section 84C is up to date with all changes known to be in force on or before 17 December 2023. 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

- (ii) the same type of assistance as that determination relates to, but in respect of a different period or (as the case may be) event, or
- (iii) assistance under regulations under section 79,
- (b) where the determination mentioned in subsection (1) relates to an individual's entitlement to assistance under regulations under section 79—
 - (i) a different type of assistance described in regulations under section 79 from the type of assistance that the determination mentioned in subsection (1) relates to,
 - (ii) the same type of assistance as that determination relates to, but in respect of a different period or (as the case may be) event, or
 - (iii) a type of assistance described in Chapter 2 of Part 2.]

Textual Amendments

- F1** S. 84C: s. 53 and cross-heading renumbered as s. 84C and cross-heading (26.7.2021) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\), ss. 9\(2\), 18\(2\)\(3\)](#) (with s. 10); S.S.I. 2021/232, reg. 2(c)
- F2** Words in s. 84C(1) inserted (26.7.2021) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\), ss. 9\(3\)\(a\), 18\(2\)\(3\)](#) (with s. 10); S.S.I. 2021/232, reg. 2(c)
- F3** Words in s. 84C(2)(b)(ii) inserted (26.7.2021) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\), ss. 9\(3\)\(b\), 18\(2\)\(3\)](#) (with s. 10); S.S.I. 2021/232, reg. 2(c)
- F4** Words in s. 84C(3) inserted (26.7.2021) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\), ss. 9\(3\)\(c\), 18\(2\)\(3\)](#) (with s. 10); S.S.I. 2021/232, reg. 2(c)
- F5** S. 84C(4)(a)(b) substituted (26.7.2021) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\), ss. 9\(3\)\(d\), 18\(2\)\(3\)](#) (with s. 10); S.S.I. 2021/232, reg. 2(c)

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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\(6\)](#)