



Social Security (Scotland) Act 2018

2018 asp 9

PART 2

GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

CHAPTER 3

DETERMINING ENTITLEMENT

Appeal against the Scottish Ministers' determination

47 Initiating an appeal

- (1) In order to bring an appeal under section 46 against a determination, an individual must submit to the Scottish Ministers the form provided under section 44 or (as the case may be) 45 in relation to the determination.
- (2) On receiving a form that they provided under section 44 or 45, the Scottish Ministers must send—
 - (a) the form, and
 - (b) the information held by them that they used to make the determination in question,to the First-tier Tribunal.
- (3) Having complied with subsection (2), the Scottish Ministers must inform the individual to whom the determination in question relates that they have done so.
- (4) In this section, references to a form include a copy of a form.
- (5) For the avoidance of doubt, the form that the Scottish Ministers provide under section 44 or 45 need not be a physical form.
- (6) Scottish Tribunal Rules providing for the form and manner in which an appeal under section 46 is to be brought may not displace the effect of subsection (1), but this section is otherwise without prejudice to what may be provided under any power to make Scottish Tribunal Rules.

Changes to legislation: *Social Security (Scotland) Act 2018, Section 47 is up to date with all changes known to be in force on or before 19 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*

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Commencement Information

- II** S. 47 in force at 22.10.2018 by [S.S.I. 2018/298](#), **reg. 2(1)(g)** (with [reg. 3](#)) (as amended (10.12.2019) by [S.S.I. 2019/406](#), regs. 1, **2(2)**)

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[View outstanding changes](#)

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\(6\)](#)