

# **SOCIAL SECURITY (SCOTLAND) ACT 2018**

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## **EXPLANATORY NOTES**

### **OVERVIEW**

#### **Part 4 (Further Provision in Connection With Parts 2 and 3)**

##### **Information-sharing**

123. **Section 85** facilitates information sharing in connection with social security functions (as defined in subsection (10)). Subsection (1) allows the Scottish Ministers to require the bodies listed in subsection (2) to provide them with information for the purpose of a social security function. Subsection (5) allows the Scottish Ministers to give information which they hold for the purpose of a social security function to one of the bodies listed in subsection (2), provided it is given for a purpose specified in regulations under subsection (5). However, the information-sharing permitted by section 85 does not extend to sharing information in circumstances where it is unlawful to do so (see subsection (9)).
124. The list of bodies from whom the Scottish Ministers can require information, and to whom they can give information, in subsection (2) can be extended by regulations under paragraph (g) of that subsection.
125. Regulations under subsection (2)(g), extending the list of bodies with whom information can be shared, and (5), specifying the purposes for which the Scottish Ministers can share information with a listed body, are subject to the negative procedure (see section 96).