



Social Security (Scotland) Act 2018

2018 asp 9

PART 2

GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

CHAPTER 1

ASSISTANCE TO BE GIVEN ACCORDING TO DETERMINATION OF ENTITLEMENT

25 Meaning of “determination of entitlement”

- (1) References in this Part to a determination of an individual’s entitlement to assistance are to a determination made—
- (a) by the Scottish Ministers—
 - (i) under section 37, or
 - (ii) (following a request for a re-determination) under section 43,
 - (b) by the First-tier Tribunal for Scotland—
 - (i) under section 49 in an appeal against a determination made by the Scottish Ministers, or
 - (ii) (subsequent to such an appeal) under its Tribunals Act powers,
 - (c) by the Upper Tribunal for Scotland under its Tribunals Act powers (subsequent to an appeal against, or following a review of, a decision of the First-tier Tribunal),
 - (d) by the Court of Session under its Tribunals Act powers (in an appeal against a decision of the Upper Tribunal), or
 - (e) by the Supreme Court of the United Kingdom—
 - (i) in an appeal under section 40 of the Court of Session Act 1988 against a decision of the Court of Session, or
 - (ii) on a reference made by the Court of Session under schedule 6 of the Scotland Act 1998.
- (2) In this section, “Tribunals Act powers” means powers under Part 6 (review or appeal of decisions) of the Tribunals (Scotland) Act 2014.