



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

46 Right to appeal to First-tier Tribunal against determination

- (1) An individual may appeal to the First-tier Tribunal for Scotland—
 - (a) against a determination under section 43 of the individual's entitlement to assistance, or
 - (b) in a case where subsection (2) applies, against the determination under section 37 referred to in that subsection.
- (2) This subsection applies where—
 - (a) having been informed of a determination under section 37 of the individual's entitlement to assistance, the individual has made a request for a re-determination under section 41, and
 - (b) the Scottish Ministers have failed to make a determination under section 43 in consequence of that request within the period allowed for re-determination.