



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

49 First-tier Tribunal's power to determine entitlement

In an appeal under section 46 against a determination of an individual's entitlement to a particular type of assistance, the First-tier Tribunal may—

- (a) uphold the determination, or
- (b) make its own determination of the individual's entitlement to the type of assistance in question.

Commencement Information

- II** S. 49 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\(2\)](#))

Changes to legislation:

Social Security (Scotland) Act 2018, Section 49 is up to date with all changes known to be in force on or before 26 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.

[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\(6\)](#)