



Social Security (Scotland) Act 2018

2018 asp 9

PART 1

TENETS AND OVERSIGHT

Promotion of take-up

6 Recognition of importance of independent information, advice and advocacy

- (1) In fulfilling their duty under section 3(a), the Scottish Ministers must have regard to the role that—
 - (a) independent information and advice, and
 - (b) independent advocacy,can play in ensuring that individuals are given what they are eligible to be given through the Scottish social security system.
- (2) The steps taken by the Scottish Ministers under section 3(b) must include steps in relation to providing, or ensuring the provision of, information about—
 - (a) independent information and advice, and
 - (b) independent advocacy,for individuals applying for, or receiving, assistance through the Scottish social security system.
- (3) The steps taken by the Scottish Ministers under section 3(b) must include steps in relation to ensuring the availability of independent information and advice (that is accessible to, and proportionate to the needs of, the individuals to whom it is given) about the Scottish social security system, and the following matters in particular—
 - (a) how to apply for assistance,
 - (b) the process by which entitlement to assistance is determined,
 - (c) the types of assistance available,
 - (d) income maximisation,
 - (e) the content of the Scottish social security charter.
- (4) For the purposes of this section, information, advice and advocacy are independent if they are provided by a person other than the Scottish Ministers.

Changes to legislation: Social Security (Scotland) Act 2018, Section 6 is up to date with all changes known to be in force on or before 22 March 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

Commencement Information

- II** S. 6 in force at 22.10.2018 by [S.S.I. 2018/298](#), [reg. 2\(1\)\(b\)](#) (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\(6\)](#)