



# Social Security (Scotland) Act 2018

## 2018 asp 9

### PART 2

#### GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

#### CHAPTER 7

#### UPRATING FOR INFLATION

#### **78 Duty to uprate carer's, disability, employment-injury and funeral expense assistance**

- (1) Before the end of each financial year, having calculated in accordance with section 77 the inflation-adjusted level of each relevant figure prescribed in—
- the carer's assistance regulations,
  - the disability assistance regulations,
  - the employment-injury assistance regulations, and
  - the funeral expense assistance regulations,

the Scottish Ministers must bring forward legislation to replace any relevant figure prescribed in those regulations which is, in their opinion, materially below its inflation-adjusted level with a figure of at least that level (subject to any rounding they think appropriate).

- (2) For the purpose of subsection (1), bringing forward legislation means laying before the Scottish Parliament for approval by resolution a draft Scottish statutory instrument (or instruments) containing regulations under each power mentioned in subsection (4).
- (3) If the Scottish Parliament approves a draft instrument laid before it by the Scottish Ministers in fulfilment of their duty under subsection (1), the Ministers must make the regulations contained in the draft instrument.
- (4) In this section—
- “carer's assistance regulations” means regulations under section 28,
  - “disability assistance regulations” means regulations under section 31,
  - “employment-injury assistance regulations” means regulations under section 33,

*Status: This is the original version (as it was originally enacted).*

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“funeral expense assistance regulations” means regulations under section 34,  
“relevant figure” is to be construed in accordance with section 77(3).