



# Social Security (Scotland) Act 2018

## 2018 asp 9

### PART 2

#### GIVING OF ASSISTANCE BY SCOTTISH MINISTERS

#### CHAPTER 5

#### RECOVERY OF VALUE OF ASSISTANCE

##### *Assistance given in error*

#### **65 Consideration for debtor's circumstances**

- (1) This section applies to decisions of the Scottish Ministers about—
  - (a) whether to seek to recover money owed under section 63, and
  - (b) the method by which money owed under that section is to be recovered.
- (2) In making a decision to which this section applies, the Scottish Ministers must have regard to the financial circumstances of the individual who owes the money (so far as those circumstances are known to the Ministers).

#### **Commencement Information**

- II** S. 65 in force at 22.10.2018 by [S.S.I. 2018/298](#), [reg. 2\(1\)\(k\)](#) (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 65 is up to date with all changes known to be in force on or before 17 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\(6\)](#)