
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

The Social Security Information-sharing (Scotland) Regulations 2021

Supplying information to receive information in return

3.—(1) Paragraph (2) applies where the Scottish Ministers require information to be supplied under section 85(1) of the 2018 Act (requirement to supply information) by—

- (a) a Health Board constituted under section 2(1)(a) of the 1978 Act⁽¹⁾ (Health Boards) or a Special Health Board constituted under section 2(1)(b) of the 1978 Act⁽²⁾,
- (b) a contractor or provider of primary medical services described in regulation 2(2)(b), (c) or (d), or
- (c) a local authority,

for the purpose of determining an individual's entitlement to social security assistance in accordance with section 37 of the 2018 Act (duty to make determination).

(2) The Scottish Ministers may supply to the person such information relating to the individual as is necessary for the purpose of enabling the person to comply with the requirement under section 85(1) of the 2018 Act.

(3) Information may be supplied by the Scottish Ministers under paragraph (2) only with the authorisation of the individual to whom the information relates.

(1) Section 2(1)(a) was amended by paragraph 1 of schedule 7 of the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 28(a)(i) and (ii) of the National Health Service and Community Care Act 1990 (c.19), paragraph 1(2) (a) of schedule 1 of the National Health Service Reform (Scotland) Act 2004 (asp 7) and paragraph 2(2) of schedule 2 of the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13).

(2) Section 2(1)(b) was inserted by section 28(a)(ii) of the National Health Service and Community Care Act 1990 (c.19). It was amended by paragraph 2(2) of schedule 2 of the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13).