

Draft Regulations laid before the Scottish Parliament under section 96(2) of the Social Security (Scotland) Act 2018 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2022 No.

SOCIAL SECURITY

**The Social Security (Up-rating) (Miscellaneous
Amendment) (Scotland) Regulations 2022**

Made - - - - 2022
Coming into force in accordance with regulation 1(2)
and (3)

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 28(2), 30(2), 31(2), 34(2), 79 and 95 of the Social Security (Scotland) Act 2018(1) and section 13 of the Social Security Act 1988(2) and all other powers enabling them to do so.

In accordance with section 97(2) of that Act, the Scottish Ministers have informed the Scottish Commission on Social Security of their proposals, notified the Scottish Parliament that they have done so and made their proposals publicly available by such means as they consider appropriate.

They have laid a response to the Commission's report on the proposals for the regulations before the Scottish Parliament in accordance with section 97(9)(a) of that Act.

In accordance with section 13(2) of the Social Security Act 1988, they have consulted with the Welsh Ministers(3).

In accordance with section 96(2) of the Social Security (Scotland) Act 2018, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

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- (1) [2018 asp 9](#). The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act [2010 \(asp 10\)](#). The Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.
 - (2) [1988 c. 7](#). Section 13 was substituted by section 185(1) of the Health and Social Care (Community Health and Standards) Act [2003 \(c. 43\)](#) and amended by section 27(5) of the Scotland Act [2016 \(c. 11\)](#) ("the 2016 Act"). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act [1998 \(c. 46\)](#) as read with section 32 of the 2016 Act.
 - (3) Functions conferred or imposed on the National Assembly for Wales immediately before the first appointment of a First Minister under section 46 of the Government of Wales Act [2006 \(c. 32\)](#) by an enactment contained in an Act were transferred to the Welsh Ministers by paragraph 30(2)(c) of Schedule 11 to that Act.