

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring sections in Parts 1, 2 and 4 of the Social Security (Scotland) Act 2018 (“the 2018 Act”) into force on the appointed day.

Regulation 2 paragraph (1)(a) to (e) relates to the tenets and oversight of the Scottish social security system. Paragraph (1)(f) to (j) commences provisions that relate to the giving of assistance and the operation of the system, including appeals, and paragraph (1)(n) requires an annual report on appeal volumes. Paragraph (1)(k) to (m) and paragraph (2) relate to recovery of assistance given in error, offences and investigations.

Regulation 3(1) clarifies that the commencement of sections 20 and 87 does not require any report to be produced for the 2017/18 financial year.

Regulation 3(2) makes saving provision. This is to ensure that the commencement of sections of the 2018 Act has no effect on the arrangements made by regulation 4(2)(a) of the Scotland Act 2016 (Transitional) Regulations 2017 (S.I. 2017/444). Those arrangements delay, for a transitional period, the transfer to the Scottish Ministers of the Secretary of State's functions in relation to certain disability and industrial injury benefits.

The Bill for the 2018 Act received Royal Assent on 1 June 2018. Part 7 of the 2018 Act (sections 95 to 100: final provisions) came into force the following day.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Scotland) Act 2018 (Commencement No. 2, Transitory and Saving Provision) Regulations 2018.