

## SCOTTISH STATUTORY INSTRUMENTS

### 2018 No. 393 (C. 26)

### SOCIAL SECURITY

#### The Social Security (Scotland) Act 2018 (Commencement No. 4 and Saving Provision) Regulations 2018

Made	-	-	-	-	20th December 2018
Laid before the Scottish Parliament	-	-	-	-	21st December 2018
Coming into force	-	-			21st January 2019

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 99(2) and (3) of the Social Security (Scotland) Act 2018 <sup>F1</sup>.

**F1** [2018 asp 9.](#)

#### Citation and commencement

1. These Regulations may be cited as the Social Security (Scotland) Act 2018 (Commencement No. 4 and Saving Provision) Regulations 2018 and come into force on 21 January 2019.

#### Appointed day

2. The day appointed for the coming into force of sections 21 and 22 and schedule 1 (Scottish Commission on Social Security) of the Social Security (Scotland) Act 2018 is 21 January 2019.

#### Saving provision

[<sup>F2</sup>3. Nothing in regulation 2 brings a provision into force for any purpose within exception 1(a) insofar as it relates to industrial injuries benefits or 1(c) in section F1 (benefits for disability and industrial injury) in Part 2 of schedule 5 of the Scotland Act 1998 <sup>F3</sup>.]

**F2** Reg. 3 substituted (10.12.2019) by [The Social Security \(Scotland\) Act 2018 \(Commencement No. 2, Transitory and Saving Provision and Commencement No. 4 and Saving Provision\) Amendment Regulations 2019 \(S.S.I. 2019/406\)](#), regs. 1, **3(2)**

**F3** [1998 c.46](#). Section F1 was amended by sections 22 to 28 of the [Scotland Act 2016 \(c.11\)](#). Section 22(2) of that Act inserted exception 1.

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**Status:** Point in time view as at 10/12/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security (Scotland) Act 2018 (Commencement No. 4 and Saving Provision) Regulations 2018. (See end of Document for details)

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St Andrew's House,  
Edinburgh

*SHIRLEY-ANNE SOMERVILLE*  
A member of the Scottish Government

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring sections 21 and 22 and schedule 1 of the Social Security (Scotland) Act 2018 (“the 2018 Act”) into force on the day they appoint. These provisions relate to the Scottish Commission on Social Security.

Regulation 3 makes saving provision. This is to ensure that the commencement of these provisions 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.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Regulations)*

The following provisions of the Social Security (Scotland) Act 2018 have been brought into force by commencement Regulations made before the date of these Regulations:—

<i><b>Provision</b></i>	<i><b>Date of Commencement</b></i>	<i><b>Instrument No.</b></i>
Sections 1 to 9	22 October 2018	S.S.I. 2018/298
Sections 15 to 20	22 October 2018	S.S.I. 2018/298
Sections 23 to 27	22 October 2018	S.S.I. 2018/298
Section 32	10 December 2018	S.S.I. 2018/357
Sections 37 to 54	22 October 2018	S.S.I. 2018/298
Sections 56 to 59	22 October 2018	S.S.I. 2018/298
Sections 61 to 69	22 October 2018	S.S.I. 2018/298
Sections 71 to 75	22 October 2018	S.S.I. 2018/298
Section 76 (partially)	3 September 2018	S.S.I. 2018/250
Section 76 (fully)	22 October 2018	S.S.I. 2018/298
Sections 81 to 85	3 September 2018	S.S.I. 2018/250
Section 87	22 October 2018	S.S.I. 2018/298
Schedule 6	10 December 2018	S.S.I. 2018/357

**Status:**

Point in time view as at 10/12/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Scotland) Act 2018 (Commencement No. 4 and Saving Provision) Regulations 2018.