
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force provisions of the Social Security (Scotland) Act 2018 (“the 2018 Act”) on the days they appoint:

- (a) regulation 2 brings into force provisions relating to assistance with funeral expenses and creating a liability of a deceased person’s estate to repay to the Scottish Ministers the value of the assistance given, as a funeral expense,
- (b) regulation 3 brings into force provisions relating to assistance to be given to individuals who provide care to another individual who has a disability,
- (c) regulation 4 brings into force provisions that relate to uprating assistance provided under the 2018 Act for the effects of inflation.

Regulation 5 revokes section 98 of the 2018 Act. That section disapplied, on a temporary basis, the need to consult the Scottish Commission on Social Security on draft Regulations, as described in section 97(1) of the 2018 Act. The Commission specified 8 February 2019 as the date when the disapplication ceased.

Regulation 6 makes saving provision. This is to ensure that the commencement of sections 77 and 78 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.