
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend existing provisions regarding the sharing of information in connection with the social security functions of the Scottish Ministers that are contained in the Social Security Information-sharing (Scotland) Regulations 2021 (“the 2021 Regulations”).

Regulation 2 amends regulation 2 of the 2021 Regulations to specify, for the purposes of section 85(2) of the Social Security (Scotland) Act 2018, two additional persons who may be required by the Scottish Ministers to supply information to them for the purpose of a social security function. These persons are any suppliers of vehicles, approved by the Scottish Ministers under an accreditation scheme run by the Scottish Ministers, to supply vehicles for the benefit of individuals who are entitled to the mobility component of Adult Disability Payment, at the enhanced rate, and integration authorities (as defined in section 59 of the Public Bodies (Joint Working) (Scotland) Act 2014).

Regulation 3 amends regulation 4 of the 2021 Regulations.

Regulation 3(a) amends regulation 4(1)(a) of the 2021 Regulations. That regulation provides that information held by the Scottish Ministers for the purpose of a social security function may be supplied by them to a supplier of vehicles described in regulation 2(2)(a) of the 2021 Regulations for the function of the provision of a vehicle. Regulation 4(1)(a) is amended to allow the Scottish Ministers to share information with suppliers of vehicles to individuals entitled to Adult Disability Payment at the enhanced rate too, for the same purposes.

Regulation 3(b) amends regulation 4(3) of the 2021 Regulations, which sets out the specified functions in relation to which the Scottish Ministers can share information with local authorities for the purpose of a social security function. Regulation 3(b) amends regulation 4(3)(e) of the 2021 Regulations so that information can be shared about the receipt of Adult Disability Payment, in certain circumstances described in regulation 4(2)(ae) of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000, for the function of the determination of entitlement to a Blue Badge.

Regulation 3(c) adds a new function to regulation 4(3), so that information can be shared with local authorities for the purpose of determining whether a person applying for or receiving a welfare service is liable to contribute towards the cost of that service and, if so, the amount of that contribution.

Regulation 3(d) inserts a new definition of “welfare service” for the purpose of regulation 4 of the 2021 Regulations.

Impact assessments have been prepared for these Regulations and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Social Security Directorate, Victoria Quay, Edinburgh EH6 6QQ and online at www.legislation.gov.uk.