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

2025 No.

SOCIAL SECURITY

The Social Security Information-sharing (Scotland) Amendment Regulations 2025

Made - - - -	*2025*
Coming into force - -	*19th May 2025*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 85(5) of the Social Security (Scotland) Act 2018(**a**) and all other powers enabling them to do so.

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

Citation and commencement

1. These Regulations may be cited as the Social Security Information-sharing (Scotland) Amendment Regulations 2025 and come into force on 19 May 2025.

Amendment of the Social Security Information-sharing (Scotland) Regulations 2021

2. In regulation 4 (use of information supplied by the Scottish Ministers) of the Social Security Information-sharing (Scotland) Regulations 2021(**b**)—

(a) after paragraph (1)(e) insert—

"(f) where regulation 4D applies, a local authority for the purposes of the function of the local authority specified in paragraph (3D).",

(b) after paragraph (3C) insert—

"(3D) The specified function referred to in paragraph (1)(f) is the power to provide or to secure the provision of food and drink to pupils under section 53(3) of the Education (Scotland) Act 1980(**c**) (provision of school meals).".

3. After regulation 4C insert—

(**a**) 2018 asp 9.
(**b**) S.S.I. 2021/178, as amended by S.S.I. 2022/56 and S.S.I. 2024/8.
(**c**) 1980 c. 44. Section 53 of the Education (Scotland) Act 1980 was substituted by section 22(2) of the Education (Scotland) Act 2016 (asp 8). There are amendments to section 53 that are not relevant to these Regulations.

"**Use of information supplied under regulation 4(1)(f)**

4D. This regulation applies where the Scottish Ministers know or believe that the information relates to a child—

(a) who, having regard to the child's age, is likely to be a pupil in—

(i) the sixth or seventh yearly stage of primary education, or

(ii) the first, second or third yearly stage of secondary education, and

(b) in respect of whom an individual is in receipt of a Scottish child payment within the meaning of regulation 3(2) of the Scottish Child Payment Regulations 2020(**a**).".

Name
A member of the Scottish Government

St Andrew's House,
Edinburgh
Date

(**a**) S.S.I. 2020/351.

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 4 of the 2021 Regulations, which makes provision for the supply of information held by the Scottish Ministers for the purposes of a social security function to other specified persons. Regulation 2(a) adds a local authority as a recipient of such information, but only where regulation 4D applies. Regulation 2(b) adds paragraph (3D), which specifies a new function so that information can be shared with local authorities for the purpose of providing school meals.

Regulation 4D of the 2021 Regulations, as inserted by regulation 3 of these Regulations, limits the information shared by the Scottish Ministers for the new specified purpose to information relating to individuals in certain age groups, in respect of whom a Scottish Child Payment is made.

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