

# **Social Security (Amendment) (Scotland) Bill**

## **Additional information provided by the Association of British Insurers (ABI)**

**Received 16 April 2024**

We have considered the points raised by the Delegated Powers and Law Reform Committee on Section 94U of the Social Security (Amendment) (Scotland) Bill and agree that the inclusion of “neglecting to comply with any requirement” being considered as a criminal offence is a concern.

We are not aware of any previous convictions for neglect under the Social Security Administration Act 1992 or the Social Security (Recovery of Benefits) Act 1997.

Our understanding is that the 1992 Act remains in place across the UK in relation to offences for failure to comply with an investigation and so it is not necessary to include neglect in Section 94U in the Bill before you.

We do not consider the inclusion of an offence of neglect under Section 94U is necessary in the legislation as currently drafted and would support its removal from the Bill.

I hope this is helpful.