



Social Security (Scotland) Act 2018

2018 asp 9

SOCIAL SECURITY (SCOTLAND) ACT 2018

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- 6 The Commission may regulate its own procedure (including quorum) and...

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Changes to legislation: Social Security (Scotland) Act 2018 is up to date with all changes known to be in force on or before 18 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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18 In schedule 3 of the Ethical Standards in Public Life...

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19 In schedule 1 of the Freedom of Information (Scotland) Act...

Public Appointments and Public Bodies etc. (Scotland) Act 2003

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21 In schedule 5 of the Public Services Reform (Scotland) Act...

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PART 1 — ELIGIBILITY

CHAPTER 1

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- 1 (1) The regulations must be framed so that (subject to...
- 2 (1) The regulations may be framed so that, despite the...

CHAPTER 2

FURTHER CRITERIA

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- 3 The regulations may make an individual's eligibility depend on—

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- 4 The regulations may make an individual's eligibility depend on being...

Residence and presence

- 5 The regulations may make an individual's eligibility depend on either...

Age

- 6 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 7 The regulations may make an individual's eligibility depend on the...

Receipt of, or eligibility for, other types of State assistance

- 8 The regulations may make an individual's eligibility depend on the...

Application within specified period

- 9 The regulations may provide that an individual ceases to be...

PART 2 — ASSISTANCE TO BE GIVEN

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Meeting liabilities

- 10 The regulations may provide for the carer's assistance that is...

Restriction on giving assistance in a form other than money

- 11 (1) The regulations may allow carer's assistance to be given...

Power to set value of assistance as nil

- 11A (1) Provision may be made in the regulations for the...

PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 12 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 13 In this schedule— “cared-for person” means the individual by providing...

SCHEDULE 3 — COLD-SPELL HEATING ASSISTANCE REGULATIONS

PART 1 — ELIGIBILITY

CHAPTER 1

ELIGIBILITY IS TO DEPEND ON LIVING IN AN AREA DURING A COLD SPELL

- 1 The regulations must be framed so that (subject to any...
2 (1) The regulations may be framed so that, despite the...
3 The regulations are to set out, for the purpose of...

CHAPTER 2

FURTHER CRITERIA

Age

- 4 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 5 The regulations may make an individual's eligibility depend on the...

Receipt of, or eligibility for, other types of State assistance

- 6 The regulations may make an individual's eligibility depend on either...

Application within specified period

- 7 The regulations may provide that an individual ceases to be...

PART 2 — ASSISTANCE TO BE GIVEN

Domestic circumstances and age

- 8 The regulations may make the value of the cold-spell heating...

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Restriction on giving assistance in a form other than money

- 9 (1) The regulations may allow cold-spell heating assistance to be...
PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 10 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 11 In this schedule— “eligibility” means eligibility for cold-spell heating assistance...

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PART 1 — ELIGIBILITY

Residence and presence

- 1 The regulations may make an individual's eligibility depend on the...

Age

- 2 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 3 Subject to paragraph 4, the regulations may not make an...

Receipt of, or eligibility for, other types of State assistance

- 4 The regulations may make an individual's eligibility depend on either...

Application within specified period

- 5 The regulations may provide that an individual ceases to be...
PART 2 — ASSISTANCE TO BE GIVEN

Domestic circumstances and age

- 6 The regulations may make the value of the winter heating...

Financial circumstances

- 7 Subject to paragraph 8, the regulations may not make the...

Receipt of, or eligibility for, other types of State assistance

- 8 The regulations may make the value of assistance depend on...

Restriction on giving assistance in a form other than money

- 9 (1) The regulations may allow winter heating assistance to be...
PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 10 Nothing in this schedule, apart from the following provisions, is...

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Interpretation

- 11 In this schedule— “eligibility” means eligibility for winter heating assistance...

SCHEDULE 5 — DISABILITY ASSISTANCE REGULATIONS PART 1 — ELIGIBILITY

CHAPTER 1

ELIGIBILITY IS TO DEPEND ON HAVING, OR HAVING HAD, A DISABILITY

- 1 (1) The regulations must be framed so that (subject to...
2 (1) The regulations may be framed so that, despite the...

CHAPTER 2

FURTHER CRITERIA

Nature and extent of disability and needs

- 3 The regulations may make an individual's eligibility depend on the...

Residence and presence

- 4 The regulations may make an individual's eligibility depend on the...

Age

- 5 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 6 Subject to paragraph 7, the regulations may not make an...

Receipt of, or eligibility for, other types of State assistance

- 7 The regulations may make an individual's eligibility depend on the...

Application within specified period

- 8 The regulations may provide that an individual ceases to be...

CHAPTER 3

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No minimum period

- 9 The regulations may not make the eligibility of an individual...

No requirement for assessment

- 10 The regulations may not make the eligibility of an individual...

Eligibility from date of application

- 11 The regulations must be framed so that an individual who...

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Entitlement to maximum amount

- 12 The regulations must be framed so that an individual who...
PART 2 — ASSISTANCE TO BE GIVEN

CHAPTER 1

VALUE

Nature and extent of disability

- 13 The regulations may make the value of the disability assistance...

Age

- 14 The regulations may make the value of the disability assistance...

Power to set value of assistance as nil

- 14A (1) Provision may be made in the regulations for the...

CHAPTER 2

FORM

Meeting liabilities

- 15 The regulations may provide for the disability assistance that is...

Payment to someone else

- 16 The regulations may provide that, if the Scottish Ministers consider...

Restriction on giving assistance in a form other than money

- 17 (1) The regulations may allow disability assistance to be given...

Restriction on lump sums

- 18 The regulations may not provide for the disability assistance that...
PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 19 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 20 In this schedule— “eligibility” means eligibility for disability assistance and...

SCHEDULE 6 — EARLY YEARS ASSISTANCE REGULATIONS
PART 1 — ELIGIBILITY

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CHAPTER 1

ELIGIBILITY IS TO DEPEND ON HAVING, OR EXPECTING TO HAVE, RESPONSIBILITY FOR A CHILD

- 1 (1) The regulations must be framed so that an individual's...

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- 2 The regulations may provide that an individual is not eligible,...

Residence and presence

- 3 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 4 The regulations may make an individual's eligibility depend on the...

Receipt of, or eligibility for, other types of State assistance

- 5 The regulations may make an individual's eligibility depend on the...

Application within specified period

- 6 The regulations may provide that an individual ceases to be...

PART 2 — ASSISTANCE TO BE GIVEN

Restriction on giving assistance in a form other than money

- 7 (1) The regulations may allow early years assistance to be...

PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 8 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 9 In this schedule— “eligibility” means eligibility for early years assistance...

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CHAPTER 1

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- 1 The regulations must be framed so that (subject to any...
- 2 (1) The regulations may be framed so that, despite the...
- 3 (1) The regulations are to define the following terms for...

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CHAPTER 2

FURTHER CRITERIA

Place where injury suffered or disease contracted

- 4 The regulations may make an individual's eligibility depend on where,...

Residence and presence

- 5 The regulations may make an individual's eligibility depend on the...

Age

- 6 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 7 Subject to paragraph 8, the regulations may not make an...

Receipt of, or eligibility for, other types of State assistance

- 8 The regulations may make an individual's eligibility depend on the...

Application within specified period

- 9 The regulations may provide that an individual ceases to be...

PART 2 — ASSISTANCE TO BE GIVEN

CHAPTER 1

VALUE

Nature of injury or disease

- 10 The regulations may make the value of the employment-injury assistance...

Age

- 11 The regulations may make the value of the employment-injury assistance...

Power to set value of assistance as nil

- 11A (1) Provision may be made in the regulations for the...

CHAPTER 2

FORM

Meeting liabilities

- 12 The regulations may provide for the employment-injury assistance that is...

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Restriction on giving assistance in a form other than money

- 13 (1) The regulations may allow employment-injury assistance to be given...

Restriction on lump sums

- 14 The regulations may not provide for the employment-injury assistance that...

PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 15 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 16 In this schedule— “eligibility” means eligibility for employment-injury assistance, and...

SCHEDULE 8 — FUNERAL EXPENSE ASSISTANCE REGULATIONS
PART 1 — ELIGIBILITY

CHAPTER 1

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- 1 (1) The regulations must be framed so that an individual's...

CHAPTER 2

FURTHER CRITERIA

Location of the funeral

- 2 The regulations may make an individual's eligibility depend on where...

Relationship with the deceased

- 3 The regulations may make an individual's eligibility depend on the...

Value of deceased's estate

- 4 The regulations may make an individual's eligibility depend on the...

Residence and presence

- 5 The regulations may make an individual's eligibility depend on either...

Financial circumstances

- 6 The regulations may make an individual's eligibility depend on the...

Receipt of, or eligibility for, other types of State assistance

- 7 The regulations may make an individual's eligibility depend on either...

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Application within specified period

- 8 The regulations may provide that an individual ceases to be...
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 9 The regulations may specify items of expense in relation to...
 10 The regulations may set a limit on the value of...
 11 The regulations may set a limit on the total value...
 12 The regulations may provide for the amount of funeral expense...

Restriction on giving assistance in a form other than money

- 13 (1) The regulations may allow funeral expense assistance to be...
 PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 14 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 15 In this schedule— “deceased person” means the person in respect...

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 PART 1 — ELIGIBILITY

CHAPTER 1

ELIGIBILITY IS TO DEPEND ON BEING TREATED IN CERTAIN
 WAYS UNDER THE WELFARE REFORM ACT 2012 OR
 OTHERWISE NEEDING ASSISTANCE WITH HOUSING COSTS

- 1 (1) Subject to sub-paragraph (2) and paragraph 2, the regulations...
 2 (1) The regulations may be framed so that, despite the...

CHAPTER 2

FURTHER CRITERIA

Participation in education

- 3 The regulations may make an individual's eligibility depend on—

Residence and presence

- 4 The regulations may make an individual's eligibility depend on the...

Age

- 5 The regulations may make an individual's eligibility depend on the...

Financial circumstances

- 6 The regulations may make an individual's eligibility depend on the...

Receipt of, or eligibility for, other types of State assistance

- 7 The regulations may make an individual's eligibility depend on either...

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Application within specified period

- 8 The regulations may provide that an individual ceases to be...
PART 2 — ASSISTANCE TO BE GIVEN

CHAPTER 1

VALUE

Cases where paragraph 1(3) conditions met

- 9 (1) The regulations must provide for the value of housing...

Cases where paragraph 1(3) conditions not met

- 10 In a case to which paragraph 9 does not apply,...

Power to set value of assistance as nil

- 10A (1) Provision may be made in the regulations for the...

CHAPTER 2

FORM

Meeting liabilities

- 11 The regulations may provide for housing assistance that is to...

Restriction on giving assistance in a form other than money

- 12 (1) The regulations may allow housing assistance to be given...
PART 3 — FINAL PROVISIONS

Generality of enabling power unaffected

- 13 Nothing in this schedule, apart from the following provisions, is...

Interpretation

- 14 In this schedule (unless stated otherwise)—“eligibility” means eligibility for...

SCHEDULE 10 — SHORT-TERM ASSISTANCE REGULATIONS
PART 1 — ELIGIBILITY

Entitlement to other assistance being reviewed

- 1 (1) The regulations must be framed so that an individual...
PART 2 — ASSISTANCE TO BE GIVEN

Value and form of assistance where entitlement to other assistance under review

- 2 (1) This paragraph applies to any case in which an...
PART 3 — FINAL PROVISIONS

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Generality of enabling power unaffected

- 3 Nothing in this schedule is to be taken to preclude...

Interpretation

- 4 In this schedule, “the regulations” means regulations under section 36(2)....

SCHEDULE 11 — Suspension of assistance

Circumstances in which assistance may be suspended

- 1 (1) The regulations may provide for an individual's assistance to...

Safeguards: requirement to consider financial circumstances before suspension

- 2 The regulations must require the Scottish Ministers, before suspending the...

Safeguards: right to review suspension

- 3 The regulations must confer a right on an individual whose...

Safeguards: information to be given following suspension

- 4 (1) The regulations must require the Scottish Ministers to inform...

Safeguards: effect of suspension ending

- 5 The regulations must provide that when— (a) the suspension of...

Generality of enabling power unaffected

- 6 Nothing in this schedule is to be taken to limit...

Interpretation

- 7 In this schedule— (a) references to an individual's assistance being...

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 66 repealed by [2018 asp 15 s. 16\(2\)](#)
- s. 96(2) words substituted by [2021 asp 20 s. 2\(b\)](#)
- s. 96(3) words substituted by [2020 asp 18 s. 2\(8\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81(4C) inserted by [2021 asp 20 s. 2\(a\)](#)
- s. 85D inserted by [2020 asp 18 s. 2\(6\)](#)