



# Social Security (Scotland) Act 2018

## 2018 asp 9

### PART 6

#### UNIVERSAL CREDIT: PAYMENT TO JOINT CLAIMANTS

#### 94 Universal credit: payment to joint claimants

- (1) The Scottish Ministers must bring forward regulations under section 30 of the Scotland Act 2016 to give effect to the proposal described in subsection (3).
- (2) In subsection (1), “bring forward” means—
  - (a) consult the Secretary of State about the practicability of implementing the regulations in accordance with section 30(3) of the Scotland Act 2016, and
  - (b) lay regulations before the Scottish Parliament.
- (3) The regulations must give effect to the proposal that, despite regulation 47(4) to (6) of the 2013 Claims and Payments Regulations (payment of universal credit to joint claimants), universal credit payable in respect of Scottish joint claimants is to be split between the couple in such proportion as the Scottish Ministers consider appropriate unless the Scottish joint claimants elect to nominate a single bank or other account into which that benefit is to be paid.
- (4) For the avoidance of doubt, the regulations under subsection (1) must give effect only to the proposal described in subsection (3).
- (5) The Scottish Ministers may by regulations repeal this section and revoke any regulations made under it.
- (6) In this section—

“the 2013 Claims and Payments Regulations” means the [Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance \(Claims and Payments\) Regulations 2013 \(S.I. 2013/380\)](#),

“couple” has the meaning given by section 39 of the Welfare Reform Act 2012,

“Scottish joint claimants” means a couple living in Scotland who jointly make a claim for, or have been awarded, universal credit.