



Social Security (Scotland) Act 2018

2018 asp 9

PART 3

SUPPLEMENTING ASSISTANCE UNDER OTHER ENACTMENTS

Top up of reserved benefits

79 Power to provide for top up

- (1) The Scottish Ministers may by regulations provide for financial assistance to be given to an individual who—
 - (a) is entitled to a reserved benefit, and
 - (b) appears to the Scottish Ministers to require financial assistance (in addition to any amount the individual receives by way of reserved benefit) for the purpose, or one of the purposes, for which the benefit is being provided.
- (2) The power conferred by subsection (1) includes the power to make provision about—
 - (a) determining entitlement (including specifying further eligibility rules that are to be used to determine whether an individual is entitled to the assistance),
 - (b) the amount of assistance,
 - (c) applications for assistance,
 - (d) obtaining information,
 - (e) appeals,
 - (f) assistance given in error,
 - [^{F1}(g) offences.]
- (3) In this section and section 80, “reserved benefit” means a benefit which is to any extent a reserved matter within the meaning of schedule 5 of the Scotland Act 1998.

Textual Amendments

- F1** S. 79(2)(g) inserted (11.11.2020) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\)](#), ss. 4(2), 18(1)

Status: Point in time view as at 11/11/2020.

Changes to legislation: Social Security (Scotland) Act 2018, Section 79 is up to date with all changes known to be in force on or before 10 April 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)

Commencement Information

II S. 79 in force at 1.5.2020 by [S.S.I. 2020/127](#), **reg. 2(1)(a)**

Status:

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