



Social Security (Scotland) Act 2018

2018 asp 9

PART 5

DISCRETIONARY HOUSING PAYMENTS

88 Local authorities' power to make payments

- (1) A local authority has power to give financial assistance to a qualifying individual to meet, or help towards meeting, the individual's housing costs.
- (2) In subsection (1), "qualifying individual" means an individual who—
 - (a) is entitled to—
 - (i) housing benefit, or
 - (ii) an award of universal credit which includes an amount for rent, and
 - (b) appears to the authority to need financial assistance under subsection (1) (in addition to any assistance of a kind mentioned in paragraph (a) which the individual receives) in order to meet housing costs.
- (3) For the purposes of subsection (2)(a)—
 - (a) "housing benefit" means housing benefit provided by virtue of a scheme under section 123 of the Social Security Contributions and Benefits Act 1992,
 - (b) an award of universal credit includes an amount for rent if—
 - (i) the calculation of the award includes an amount under section 11 of the Welfare Reform Act 2012, and
 - (ii) that amount is included (wholly or partly) in respect of a liability to make payments within the meaning of paragraph 2 of schedule 1 of the [Universal Credit Regulations 2013 \(S.I. 2013/376\)](#).
- (4) Financial assistance under this section may be given to an individual by way of—
 - (a) payment to the individual,
 - (b) payment to another person to meet, or contribute towards meeting, any liability the individual has to that person,
 - (c) deduction from any liability the individual has to the authority giving the assistance which is connected to housing costs,
 - (d) any combination of the ways mentioned in the preceding paragraphs.