

SCHEDULE 9 HOUSING ASSISTANCE REGULATIONS

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 assistance to be given in a case to which this paragraph applies to be the amount described in sub-paragraph (3).
- (2) This paragraph applies to a case in which an individual is entitled to housing assistance in respect of a given period by virtue of meeting the conditions described in paragraph 1(3).
- (3) The amount referred to in sub-paragraph (1) is the lower of—
- (a) the difference between—
 - (i) the amount under section 11 of the Welfare Reform Act 2012 included in the calculation of the individual’s universal credit award for the period in question, and
 - (ii) the amount that would have been included under that section in the calculation were it not for the regulations referred to in paragraph 1(3)(d), or
 - (b) the amount by which the value of the assistance to which the individual is entitled from the Secretary of State in respect of the period in question is reduced in accordance with regulations under section 96 of the Welfare Reform Act 2012.
- (4) Sub-paragraph (1) does not apply if, by virtue of paragraph 1(2), the regulations need not provide for eligibility to depend on the conditions described in paragraph 1(3) being met.

Cases where paragraph 1(3) conditions not met

- 10 In a case to which paragraph 9 does not apply, the regulations may make the value of housing assistance that is to be given to an individual depend on—
- (a) the age of either or both—
 - (i) the individual, and
 - (ii) anyone who lives with the individual,
 - (b) the financial circumstances of either or both—
 - (i) the individual, and
 - (ii) anyone who lives with the individual.

CHAPTER 2

FORM

Meeting liabilities

- 11 The regulations may provide for housing assistance that is to be given to an individual to be given (in whole or in part) by way of—
- (a) payment to another person in order to meet, or contribute towards meeting, any liability the individual has to that person,
 - (b) deduction from any liability the individual has to the Scottish Ministers under section 63.

Restriction on giving assistance in a form other than money

- 12 (1) The regulations may allow housing assistance to be given to an individual in a form other than money only if the individual (or a person acting on the individual's behalf) has agreed to the assistance being given in that form.
- (2) If the regulations include provision of the kind mentioned in sub-paragraph (1), they must allow an individual (or a person acting on the individual's behalf) to withdraw agreement to being given housing assistance in a form other than money at any time.
- (3) Despite sub-paragraph (1), the regulations may provide for housing assistance to be given (in whole or in part) by way of deduction, at a reasonable level, from any liability the individual has to the Scottish Ministers under section 63 if the individual has unreasonably refused to agree to the assistance being given in that form.
- (4) For the purpose of sub-paragraph (3), “reasonable level” means a level that is reasonable having regard to the financial circumstances of the individual.