



# Scotland Act 2016

## 2016 CHAPTER 11

### PART 3

#### WELFARE BENEFITS AND EMPLOYMENT SUPPORT

##### *Welfare benefits*

#### **30 Universal credit: persons to whom, and time when, paid**

- (1) A function of making regulations to which this section applies, so far as it is exercisable by the Secretary of State in or as regards Scotland, is exercisable by the Scottish Ministers concurrently with the Secretary of State.
- (2) This section applies to regulations under section 5(1)(i) of the Social Security Administration Act 1992, so far as relating to the person to whom, or the time when, universal credit is to be paid.
- (3) The Scottish Ministers may not exercise the function of making regulations to which this section applies unless they have consulted the Secretary of State about the practicability of implementing the regulations.
- (4) If—
  - (a) the Scottish Ministers make regulations to which this section applies, and
  - (b) the Secretary of State considers that it is not practicable to implement a change made by the regulations by the time that change is to start to have effect,the Secretary of State may by regulations made by statutory instrument amend the regulations so that the change is to start to have effect from a time later than the time originally set.
- (5) The altered time must be no later than the Secretary of State considers necessary, having regard to the practicability of implementing the change.
- (6) The Secretary of State may not exercise the function of making regulations to which this section applies in or as regards Scotland unless he or she has consulted the Scottish Ministers.

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**Changes to legislation:** Scotland Act 2016, Section 30 is up to date with all changes known to be in force on or before 21 March 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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- (7) Where regulations are made by the Scottish Ministers by virtue of subsection (1)—
- (a) section 189(3) of the Social Security Administration Act 1992 does not apply, and
  - (b) the regulations are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

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**Commencement Information**

**II** S. 30 in force at 5.9.2016 by S.I. 2016/759, reg. 3(g)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)