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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 406**

**The Housing (Scotland) Act 2006  
(Scheme of Assistance) Regulations 2008**

**Types of assistance which must be provided**

**3.—**(1) This regulation applies where assistance is provided under subsection 1(b) of section 73 of the 2006 Act in connection with work in a house.

(2) Where the work is—

- (a) work to which paragraph (3) applies; and
- (b) essential to the needs of the disabled person,

assistance must be provided by way of a grant.

(3) This paragraph applies to structural work or work that involves other permanent changes to the house but excluding—

- (a) work to extend any structure to create additional living accommodation; or
- (b) work to create living accommodation in a separate building from the current living accommodation.

(4) Where the work is not work to which paragraph (3) applies but—

- (a) it is work to adapt a house for the purpose set out in paragraph (e) of section 71(2) of the 2006 Act,
- (b) the adaptation achieved by the work is essential to the needs of the disabled person, and
- (c) the assistance is not being provided by way of a grant,

the assistance must include advice and information to assist the applicant to fund the work.