
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 142

**The Welfare Reform (Consequential Amendments)
(Scotland) (No. 3) Regulations 2013**

Advice and Assistance (Scotland) Regulations 1996

- 4.—(1) The Advice and Assistance (Scotland) Regulations 1996(1) are amended as follows.
- (2) In regulation 2(1) (interpretation), at the end insert—
- “;
- “Welfare Fund payment” means any payment made by a local authority in exercise of the power in section 20 of the Local Government in Scotland Act 2003(2) and using funds provided by the Scottish Ministers from the Scottish Welfare Fund, where the payment is—
- (a) a crisis payment made for the purpose of meeting an immediate short term need; or
- (b) made for the purpose of meeting a need for community care.”.
- (3) In regulation 16(2) (payment of fees and outlays from property recovered or preserved)—
- (a) in sub-paragraph (a)(vii), for the words from “payment” to the end substitute “Welfare Fund payment”;
- (b) in sub-paragraph (c), omit “the mobility component of a” and “the mobility component of” (where those words appear immediately before “personal independence payment”); and
- (c) after sub-paragraph (c), insert—
- “(ca) to armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;”.
- (4) In paragraph 5 of Schedule 2 (assessment of disposable capital and disposable income)—
- (a) after sub-paragraph (ba), insert—
- “(bb) there shall be left out of account any Welfare Fund payment;”; and
- (b) after sub-paragraph (d)(a), insert—
- “(aa) personal independence payment under Part 4 of the Welfare Reform Act 2012(3);
- (ab) armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;”.

(1) S.I. 1996/2447; relevant amending instruments are S.I. 1997/726, 1998/724 and 2008/1879 and S.S.I. 2003/163 and 421 and 2013/65 and 137.

(2) 2003 asp 1.

(3) 2012 c.5.