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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 182**

**The Welfare Reform (Consequential Amendments) (Scotland) Regulations 2017**

**Amendment of the Education (School Lunches) (Scotland) Regulations 2009**

2.—(1) The Education (School Lunches) (Scotland) Regulations 2009(1) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “the 2002 Regulations” insert—

““assessment period” means the assessment period for the purposes of universal credit as specified in regulation 21 of the Universal Credit Regulations 2013(2);”.

(b) after the definition of “child tax credit” insert—

““couple” has the meaning given in section 39 of the Welfare Reform Act 2012(3);

“earned income” means the person’s earned income within the meaning of Chapter 2 of Part 6 of the Universal Credit Regulations 2013;

“single person” has the meaning given in section 1(2)(a) of the Welfare Reform Act 2012.”.

(3) For regulation 4A (universal credit) of the Education (School Lunches) (Scotland) Regulations 2009 substitute—

“Universal credit is prescribed for the purposes of section 53(3)(a)(iv) and (b)(iii) of the 1980 Act, in the following circumstances—

(a) in the case of a parent, where the parent is in receipt of universal credit, either—

(i) as a single person, where the single person has earned income not exceeding £610, or

(ii) as a member of a couple, where the couple have a combined earned income not exceeding £610, or

(b) in the case of a pupil, where the pupil is in receipt of universal credit, either—

(i) as a single person, where the single person has earned income not exceeding £610, or

(ii) as a member of a couple, where the couple have a combined earned income not exceeding £610,

in the assessment period immediately preceding the application for a free school lunch being made.”.

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(1) [S.S.I. 2009/178](#). Article 4A was added by regulation 4 of the Education (School Lunches) (Scotland) Amendment Regulations 2013/64.

(2) [S.I. 2013/376](#). Regulation 21 of [S.I. 2013/376](#) was relevantly amended by [S.I. 2014/2887](#) and [S.I. 2015/1362](#).

(3) [2012 c.5](#).