
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 227

The Universal Credit (Claims and Payments) (Scotland) Regulations 2017

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Universal Credit (Claims and Payments) (Scotland) Regulations 2017 and come into force on 4th October 2017.

(2) In these Regulations—

“the 2013 Claims and Payments Regulations” means the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(1);

“housing costs element” has the meaning in regulation 25 of the Universal Credit Regulations 2013(2), but does not include a housing costs element calculated under schedule 5 of those Regulations (housing costs element for owner-occupiers);

“Scottish UC applicant or recipient” means a person applying for universal credit, or awarded universal credit, who resides in Scotland (and any one of the members of a couple living in Scotland who jointly make a claim for, or have been awarded, universal credit).

Persons to be able to request twice-monthly payments

2.—(1) Despite regulation 47(1) of the 2013 Claims and Payments Regulations (universal credit generally to be paid monthly in arrears), a Scottish UC applicant or recipient may request at any time to receive future payments of universal credit twice-monthly in arrears, where that is more frequent than the payments that would otherwise be made.

(2) A person who has made the request referred to in paragraph (1) may at any time—

- (a) request that the Secretary of State cancel it; or
- (b) make a further such request.

(3) The Secretary of State must agree to a request made under paragraph (1) or (2), unless the Secretary of State considers it to be unreasonable to implement the request, in which case the Secretary of State must advise the person who made it of the reasons for its refusal.

(4) Nothing in this regulation restricts the ability of the Secretary of State to arrange for payments of universal credit to be made twice-monthly, or more or less frequently than twice-monthly, in any case or class of case.

Persons to be advised that they can request twice-monthly payments

3.—(1) Every person entitled to request twice-monthly payments under regulation 2(1) must be advised that he or she can so request and be given information about the implications of that choice.

(1) [S.I. 2013/380](#).
(2) [S.I. 2013/376](#).

(2) Paragraph (1) does not apply where the Secretary of State is arranging, or has arranged, for payments of universal credit to be made twice-monthly, or more frequently than twice-monthly.

Tenants to be able to request direct payments for rent and services

4.—(1) A Scottish UC applicant or recipient whose award of universal credit will include, or includes, a housing costs element in respect of a rent payment or service charge payment may request at any time to have an amount of universal credit paid directly to the person to whom those payments are due.

(2) In paragraph (1)—

- (a) “rent payment” has the meaning given by paragraph 2 of schedule 1 of the Universal Credit Regulations 2013; and
- (b) “service charge payment” has the meaning given by paragraph 7 of that schedule.

(3) A person who has made the request referred to in paragraph (1) may at any time—

- (a) request that the Secretary of State cancel it; or
- (b) make a further such request.

(4) The Secretary of State must agree to a request made under paragraph (1) or (3), unless the Secretary of State considers it to be unreasonable to implement the request, in which case the Secretary of State must advise the person who made it of the reasons for its refusal.

(5) The amount of an award of universal credit to be paid in accordance with paragraph (1) is the amount of the housing costs element of the award that relates to liability to make rent payments and service charge payments or, if less, the amount of the award.

(6) Nothing in this regulation restricts the ability of the Secretary of State to direct that payments of universal credit be made to a person other than a claimant under regulation 58 of the 2013 Claims and Payments Regulations (payment to another person on the claimant’s behalf) or to make deductions and payments in accordance with the provisions of schedule 6 of those Regulations.

Tenants to be advised that they can request direct payments for rent and services

5.—(1) Every person entitled to request direct payments under regulation 4(1) must be advised that he or she can request to have an amount of universal credit paid directly, as described in that regulation.

(2) Paragraph (1) does not apply where the Secretary of State is arranging, or has arranged, for universal credit to be paid directly.

Applications for, and awards of, universal credit to which these Regulations do not apply

6.—(1) These Regulations have no effect in relation to—

- (a) an award of universal credit which has been made before 4th October 2017;
- (b) an application made before that date for such an award or an award made as a result of such an application;
- (c) an award of universal credit which is not administered on the digital service computer system operated by the Secretary of State in digital service areas;
- (d) an application for such an award which will not be administered on that system if granted;
- (e) an award of universal credit which is administered on that system only as a result of a decision of the Secretary of State to transfer the administration of that award to that system from another system operated by the Secretary of State.

(2) For the purpose of paragraph (1)(c), “digital service area” has the meaning given in regulation 5(3) of the Universal Credit (Digital Service) Amendment Regulations 2014⁽³⁾.

St Andrew’s House,
Edinburgh
27th June 2017

JEANE FREEMAN
Authorised to sign by the Scottish Ministers

⁽³⁾ [S.I. 2014/2887](#), as substituted by [S.I. 2015/1754](#).