

Status: This version of this chapter contains provisions that are prospective.

Changes to legislation: Social Security (Scotland) Act 2018, Paragraph 2 is up to date with all changes known to be in force on or before 05 January 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

SCHEDULE 9 HOUSING ASSISTANCE REGULATIONS

PROSPECTIVE

PART 1

ELIGIBILITY

CHAPTER 1

ELIGIBILITY IS TO DEPEND ON BEING TREATED IN CERTAIN WAYS UNDER THE WELFARE REFORM ACT 2012 OR OTHERWISE NEEDING ASSISTANCE WITH HOUSING COSTS

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- (1) The regulations may be framed so that, despite the conditions described in paragraph 1 not being met in relation to a given period, an individual may nevertheless be eligible in respect of that period.
 - (2) Where the regulations allow an individual to be eligible in respect of a period in relation to which the conditions described in paragraph 1 are not met, they must be framed so that the individual's eligibility depends on the individual needing assistance to meet housing costs in a connection with a property that is not owned (wholly or partly) by the individual.
 - (3) For the purpose of sub-paragraph (2), an individual is not an owner of property if, in relation to the property, the individual is party to a shared ownership agreement within the meaning of section 83(3) of the Housing (Scotland) Act 2001.
 - (4) If provision of the kind described in this paragraph is made, the regulations are to set out, for the purpose of determining entitlement to housing assistance—
 - (a) a definition of “housing costs”,
 - (b) the circumstances in which an individual is to be regarded as needing assistance to meet housing costs.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81(4C) inserted by [2021 asp 20 s. 2\(a\)](#)
- s. 85D inserted by [2020 asp 18 s. 2\(6\)](#)