

*Status: This version of this provision is prospective.*

*Changes to legislation: Social Security (Scotland) Act 2018, Section 88 is up to date with all changes known to be in force on or before 04 March 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*



# Social Security (Scotland) Act 2018

## 2018 asp 9

### PART 5

#### DISCRETIONARY HOUSING PAYMENTS

PROSPECTIVE

#### **88 Local authorities' power to make payments**

- (1) A local authority has power to give financial assistance to a qualifying individual to meet, or help towards meeting, the individual's housing costs.
- (2) In subsection (1), “qualifying individual” means an individual who—
  - (a) is entitled to—
    - (i) housing benefit, or
    - (ii) an award of universal credit which includes an amount for rent, and
  - (b) appears to the authority to need financial assistance under subsection (1) (in addition to any assistance of a kind mentioned in paragraph (a) which the individual receives) in order to meet housing costs.
- (3) For the purposes of subsection (2)(a)—
  - (a) “housing benefit” means housing benefit provided by virtue of a scheme under section 123 of the Social Security Contributions and Benefits Act 1992,
  - (b) an award of universal credit includes an amount for rent if—
    - (i) the calculation of the award includes an amount under section 11 of the Welfare Reform Act 2012, and
    - (ii) that amount is included (wholly or partly) in respect of a liability to make payments within the meaning of paragraph 2 of schedule 1 of the Universal Credit Regulations 2013 (S.I. 2013/376).
- (4) Financial assistance under this section may be given to an individual by way of—
  - (a) payment to the individual,
  - (b) payment to another person to meet, or contribute towards meeting, any liability the individual has to that person,

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- (c) deduction from any liability the individual has to the authority giving the assistance which is connected to housing costs,
- (d) any combination of the ways mentioned in the preceding paragraphs.

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**Changes and effects yet to be applied to :**

- s. 88 coming into force by [S.S.I. 2024/57 reg. 2\(a\)](#)

**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\(6\)](#)