



# Social Care (Self-directed Support) (Scotland) Act 2013

## 2013 asp 1

### *Direct payments*

#### **15 Power to make further provision about direct payments**

- (1) The Scottish Ministers may by regulations make further provision about direct payments.
- (2) Regulations under subsection (1) may in particular make provision for or in connection with—
  - (a) specifying descriptions of person who are ineligible to receive direct payments,
  - (b) specifying circumstances in which a local authority is not to be required under section 5, 7 or 8 to give a person the opportunity to choose—
    - (i) Option 1 of the options for self-directed support, and
    - (ii) so far as relating to that option, Option 4,
  - (c) specifying the circumstances in which a local authority may require a person to contribute to a direct payment,
  - (d) enabling a local authority to assess or reassess a person's ability to contribute to the cost of securing the support to which a direct payment relates,
  - (e) specifying the ways in which direct payments may be paid or repaid,
  - (f) specifying circumstances in which a local authority may, must or may not terminate the making of a direct payment,
  - (g) specifying circumstances in which a local authority may pay all or part of a direct payment to a person other than the person to whom the direct payment relates,
  - (h) specifying descriptions of person to whom direct payments may not be made under paragraph (g),
  - (i) specifying descriptions of person who are prohibited from providing support to which a direct payment relates other than in such circumstances as are specified,
  - (j) specifying conditions which must be satisfied by persons before they may provide support to which a direct payment relates.