



# Social Security (Scotland) Act 2018

## 2018 asp 9

### SOCIAL SECURITY (SCOTLAND) ACT 2018

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- 19 In schedule 1 of the Freedom of Information (Scotland) Act...

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- 20 In schedule 2 of the Public Appointments and Public Bodies...

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- 21 In schedule 5 of the Public Services Reform (Scotland) Act...

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PART 1 — ELIGIBILITY

**CHAPTER 1**

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- 1 (1) The regulations must be framed so that (subject to...  
2 (1) The regulations may be framed so that, despite the...

**CHAPTER 2**

FURTHER CRITERIA

*Carer's other activities*

- 3 The regulations may make an individual's eligibility depend on—

*Multiple carers*

- 4 The regulations may make an individual's eligibility depend on being...

*Residence and presence*

- 5 The regulations may make an individual's eligibility depend on either...

*Age*

- 6 The regulations may make an individual's eligibility depend on the...

*Financial circumstances*

- 7 The regulations may make an individual's eligibility depend on the...

*Receipt of, or eligibility for, other types of State assistance*

- 8 The regulations may make an individual's eligibility depend on the...

*Application within specified period*

- 9 The regulations may provide that an individual ceases to be...

PART 2 — ASSISTANCE TO BE GIVEN



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### *Meeting liabilities*

- 10 The regulations may provide for the carer's assistance that is...

#### *Restriction on giving assistance in a form other than money*

- 11 (1) The regulations may allow carer's assistance to be given...

#### *Power to set value of assistance as nil*

- 11A (1) Provision may be made in the regulations for the...

### PART 3 — FINAL PROVISIONS

#### *Generality of enabling power unaffected*

- 12 Nothing in this schedule, apart from the following provisions, is...

### *Interpretation*

- 13 In this schedule— “cared-for person” means the individual by providing...

## SCHEDULE 3 — COLD-SPELL HEATING ASSISTANCE REGULATIONS PART 1 — ELIGIBILITY

### CHAPTER 1

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- 1 The regulations must be framed so that (subject to any...  
2 (1) The regulations may be framed so that, despite the...  
3 The regulations are to set out, for the purpose of...

### CHAPTER 2

#### FURTHER CRITERIA

#### *Age*

- 4 The regulations may make an individual's eligibility depend on the...

#### *Financial circumstances*

- 5 The regulations may make an individual's eligibility depend on the...

#### *Receipt of, or eligibility for, other types of State assistance*

- 6 The regulations may make an individual's eligibility depend on either...

#### *Application within specified period*

- 7 The regulations may provide that an individual ceases to be...

### PART 2 — ASSISTANCE TO BE GIVEN

#### *Domestic circumstances and age*

- 8 The regulations may make the value of the cold-spell heating...

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*Restriction on giving assistance in a form other than money*

- 9 (1) The regulations may allow cold-spell heating assistance to be...  
PART 3 — FINAL PROVISIONS

*Generality of enabling power unaffected*

- 10 Nothing in this schedule, apart from the following provisions, is...

*Interpretation*

- 11 In this schedule— “eligibility” means eligibility for cold-spell heating assistance...

SCHEDULE 4 — WINTER HEATING ASSISTANCE REGULATIONS  
PART 1 — ELIGIBILITY

*Residence and presence*

- 1 The regulations may make an individual's eligibility depend on the...

*Age*

- 2 The regulations may make an individual's eligibility depend on the...

*Financial circumstances*

- 3 Subject to paragraph 4, the regulations may not make an...

*Receipt of, or eligibility for, other types of State assistance*

- 4 The regulations may make an individual's eligibility depend on either...

*Application within specified period*

- 5 The regulations may provide that an individual ceases to be...  
PART 2 — ASSISTANCE TO BE GIVEN

*Domestic circumstances and age*

- 6 The regulations may make the value of the winter heating...

*Financial circumstances*

- 7 Subject to paragraph 8, the regulations may not make the...

*Receipt of, or eligibility for, other types of State assistance*

- 8 The regulations may make the value of assistance depend on...

*Restriction on giving assistance in a form other than money*

- 9 (1) The regulations may allow winter heating assistance to be...  
PART 3 — FINAL PROVISIONS

*Generality of enabling power unaffected*

- 10 Nothing in this schedule, apart from the following provisions, is...

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### *Interpretation*

- 11 In this schedule— “eligibility” means eligibility for winter heating assistance...

## SCHEDULE 5 — DISABILITY ASSISTANCE REGULATIONS PART 1 — ELIGIBILITY

### CHAPTER 1

#### ELIGIBILITY IS TO DEPEND ON HAVING, OR HAVING HAD, A DISABILITY

- 1 (1) The regulations must be framed so that (subject to...
- 2 (1) The regulations may be framed so that, despite the...

### CHAPTER 2

#### FURTHER CRITERIA

##### *Nature and extent of disability and needs*

- 3 The regulations may make an individual's eligibility depend on the...

##### *Residence and presence*

- 4 The regulations may make an individual's eligibility depend on the...

##### *Age*

- 5 The regulations may make an individual's eligibility depend on the...

##### *Financial circumstances*

- 6 Subject to paragraph 7, the regulations may not make an...

##### *Receipt of, or eligibility for, other types of State assistance*

- 7 The regulations may make an individual's eligibility depend on the...

##### *Application within specified period*

- 8 The regulations may provide that an individual ceases to be...

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##### *No minimum period*

- 9 The regulations may not make the eligibility of an individual...

##### *No requirement for assessment*

- 10 The regulations may not make the eligibility of an individual...

##### *Eligibility from date of application*

- 11 The regulations must be framed so that an individual who...

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*Entitlement to maximum amount*

- 12 The regulations must be framed so that an individual who...  
PART 2 — ASSISTANCE TO BE GIVEN

**CHAPTER 1**

VALUE

*Nature and extent of disability*

- 13 The regulations may make the value of the disability assistance...

*Age*

- 14 The regulations may make the value of the disability assistance...

*Power to set value of assistance as nil*

- 14A (1) Provision may be made in the regulations for the...

**CHAPTER 2**

FORM

*Meeting liabilities*

- 15 The regulations may provide for the disability assistance that is...

*Payment to someone else*

- 16 The regulations may provide that, if the Scottish Ministers consider...

*Restriction on giving assistance in a form other than money*

- 17 (1) The regulations may allow disability assistance to be given...

*Restriction on lump sums*

- 18 The regulations may not provide for the disability assistance that...  
PART 3 — FINAL PROVISIONS

*Generality of enabling power unaffected*

- 19 Nothing in this schedule, apart from the following provisions, is...

*Interpretation*

- 20 In this schedule— “eligibility” means eligibility for disability assistance and...

SCHEDULE 6 — EARLY YEARS ASSISTANCE REGULATIONS  
PART 1 — ELIGIBILITY

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## CHAPTER 1

### ELIGIBILITY IS TO DEPEND ON HAVING, OR EXPECTING TO HAVE, RESPONSIBILITY FOR A CHILD

- 1 (1) The regulations must be framed so that an individual's...

## CHAPTER 2

### FURTHER CRITERIA

#### *Limit to number of people entitled*

- 2 The regulations may provide that an individual is not eligible,...

#### *Residence and presence*

- 3 The regulations may make an individual's eligibility depend on the...

#### *Financial circumstances*

- 4 The regulations may make an individual's eligibility depend on the...

#### *Receipt of, or eligibility for, other types of State assistance*

- 5 The regulations may make an individual's eligibility depend on the...

#### *Application within specified period*

- 6 The regulations may provide that an individual ceases to be...

### PART 2 — ASSISTANCE TO BE GIVEN

#### *Restriction on giving assistance in a form other than money*

- 7 (1) The regulations may allow early years assistance to be...

### PART 3 — FINAL PROVISIONS

#### *Generality of enabling power unaffected*

- 8 Nothing in this schedule, apart from the following provisions, is...

#### *Interpretation*

- 9 In this schedule— “eligibility” means eligibility for early years assistance...

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## CHAPTER 1

### ELIGIBILITY IS TO DEPEND ON BEING INJURED OR CONTRACTING A DISEASE AT WORK

- 1 The regulations must be framed so that (subject to any...
- 2 (1) The regulations may be framed so that, despite the...
- 3 (1) The regulations are to define the following terms for...

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## CHAPTER 2

### FURTHER CRITERIA

#### *Place where injury suffered or disease contracted*

- 4 The regulations may make an individual's eligibility depend on where,...

#### *Residence and presence*

- 5 The regulations may make an individual's eligibility depend on the...

#### *Age*

- 6 The regulations may make an individual's eligibility depend on the...

#### *Financial circumstances*

- 7 Subject to paragraph 8, the regulations may not make an...

#### *Receipt of, or eligibility for, other types of State assistance*

- 8 The regulations may make an individual's eligibility depend on the...

#### *Application within specified period*

- 9 The regulations may provide that an individual ceases to be...

### PART 2 — ASSISTANCE TO BE GIVEN

## CHAPTER 1

### VALUE

#### *Nature of injury or disease*

- 10 The regulations may make the value of the employment-injury assistance...

#### *Age*

- 11 The regulations may make the value of the employment-injury assistance...

#### *Power to set value of assistance as nil*

- 11A (1) Provision may be made in the regulations for the...

## CHAPTER 2

### FORM

#### *Meeting liabilities*

- 12 The regulations may provide for the employment-injury assistance that is...

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*Restriction on giving assistance in a form other than money*

- 13 (1) The regulations may allow employment-injury assistance to be given...

*Restriction on lump sums*

- 14 The regulations may not provide for the employment-injury assistance that...

PART 3 — FINAL PROVISIONS

*Generality of enabling power unaffected*

- 15 Nothing in this schedule, apart from the following provisions, is...

*Interpretation*

- 16 In this schedule— “eligibility” means eligibility for employment-injury assistance, and...

SCHEDULE 8 — FUNERAL EXPENSE ASSISTANCE REGULATIONS  
PART 1 — ELIGIBILITY

**CHAPTER 1**

ELIGIBILITY IS TO DEPEND ON BEING RESPONSIBLE FOR FUNERAL EXPENSES

- 1 (1) The regulations must be framed so that an individual's...

**CHAPTER 2**

FURTHER CRITERIA

*Location of the funeral*

- 2 The regulations may make an individual's eligibility depend on where...

*Relationship with the deceased*

- 3 The regulations may make an individual's eligibility depend on the...

*Value of deceased's estate*

- 4 The regulations may make an individual's eligibility depend on the...

*Residence and presence*

- 5 The regulations may make an individual's eligibility depend on either...

*Financial circumstances*

- 6 The regulations may make an individual's eligibility depend on the...

*Receipt of, or eligibility for, other types of State assistance*

- 7 The regulations may make an individual's eligibility depend on either...

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*Application within specified period*

- 8 The regulations may provide that an individual ceases to be...  
PART 2 — ASSISTANCE TO BE GIVEN
- 9 The regulations may specify items of expense in relation to...  
10 The regulations may set a limit on the value of...  
11 The regulations may set a limit on the total value...  
12 The regulations may provide for the amount of funeral expense...

*Restriction on giving assistance in a form other than money*

- 13 (1) The regulations may allow funeral expense assistance to be...  
PART 3 — FINAL PROVISIONS

*Generality of enabling power unaffected*

- 14 Nothing in this schedule, apart from the following provisions, is...

*Interpretation*

- 15 In this schedule— “deceased person” means the person in respect...

SCHEDULE 9 — HOUSING ASSISTANCE REGULATIONS  
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

- 1 (1) Subject to sub-paragraph (2) and paragraph 2, the regulations...  
2 (1) The regulations may be framed so that, despite the...

**CHAPTER 2**

FURTHER CRITERIA

*Participation in education*

- 3 The regulations may make an individual's eligibility depend on—

*Residence and presence*

- 4 The regulations may make an individual's eligibility depend on the...

*Age*

- 5 The regulations may make an individual's eligibility depend on the...

*Financial circumstances*

- 6 The regulations may make an individual's eligibility depend on the...

*Receipt of, or eligibility for, other types of State assistance*

- 7 The regulations may make an individual's eligibility depend on either...



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*Application within specified period*

- 8 The regulations may provide that an individual ceases to be...  
PART 2 — ASSISTANCE TO BE GIVEN

**CHAPTER 1**

VALUE

*Cases where paragraph 1(3) conditions met*

- 9 (1) The regulations must provide for the value of housing...

*Cases where paragraph 1(3) conditions not met*

- 10 In a case to which paragraph 9 does not apply,...

*Power to set value of assistance as nil*

- 10A (1) Provision may be made in the regulations for the...

**CHAPTER 2**

FORM

*Meeting liabilities*

- 11 The regulations may provide for housing assistance that is to...

*Restriction on giving assistance in a form other than money*

- 12 (1) The regulations may allow housing assistance to be given...  
PART 3 — FINAL PROVISIONS

*Generality of enabling power unaffected*

- 13 Nothing in this schedule, apart from the following provisions, is...

*Interpretation*

- 14 In this schedule (unless stated otherwise)— “eligibility” means eligibility for...

**SCHEDULE 10 — SHORT-TERM ASSISTANCE REGULATIONS**  
**PART 1 — ELIGIBILITY**

*Entitlement to other assistance being reviewed*

- 1 (1) The regulations must be framed so that an individual...  
PART 2 — ASSISTANCE TO BE GIVEN

*Value and form of assistance where entitlement to other assistance under review*

- 2 (1) This paragraph applies to any case in which an...  
PART 3 — FINAL PROVISIONS

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*Generality of enabling power unaffected*

- 3 Nothing in this schedule is to be taken to preclude...

*Interpretation*

- 4 In this schedule, “the regulations” means regulations under section 36(2)....

SCHEDULE 11 — Suspension of assistance

*Circumstances in which assistance may be suspended*

- 1 (1) The regulations may provide for an individual's assistance to...

*Safeguards: requirement to consider financial circumstances before suspension*

- 2 The regulations must require the Scottish Ministers, before suspending the...

*Safeguards: right to review suspension*

- 3 The regulations must confer a right on an individual whose...

*Safeguards: information to be given following suspension*

- 4 (1) The regulations must require the Scottish Ministers to inform...

*Safeguards: effect of suspension ending*

- 5 The regulations must provide that when— (a) the suspension of...

*Generality of enabling power unaffected*

- 6 Nothing in this schedule is to be taken to limit...

*Interpretation*

- 7 In this schedule— (a) references to an individual's assistance being...

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

- s. 66 repealed by [2018 asp 15 s. 16\(2\)](#)
- s. 96(2) words substituted by [2021 asp 20 s. 2\(b\)](#)
- s. 96(3) words substituted by [2020 asp 18 s. 2\(8\)](#)

**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\(6\)](#)