
STATUTORY INSTRUMENTS

2018 No. 1138

**The Social Security (Scotland) Act 2018 (Best Start Grants)
(Consequential Modifications and Saving) Order 2018**

PART 3

Amendments in relation to other benefits: disregards

Amendment of the Income Support (General) Regulations 1987

- 5.—(1) The Income Support (General) Regulations 1987(1) are amended as follows.
- (2) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings), after paragraph 81 insert—
- “82. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”
- (3) In Schedule 10 (capital to be disregarded), after paragraph 74 insert—
- “75. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”

Amendment of the Jobseeker’s Allowance Regulations 1996

- 6.—(1) The Jobseeker’s Allowance Regulations 1996(2) are amended as follows.
- (2) In Schedule 7 (sums to be disregarded in the calculation of income other than earnings), after paragraph 77 insert—
- “78. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”
- (3) In Schedule 8 (capital to be disregarded), after paragraph 67 insert—
- “68. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”

Amendment of the State Pension Credit Regulations 2002

- 7.—(1) The State Pension Credit Regulations 2002(3) are amended as follows.
- (2) In regulation 15(1) (social security benefits which are not prescribed for the purposes of income as described in section 15(1)(e) of the State Pension Credit Act 2002), after subparagraph (ra) insert—
- “(rb) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018;”

(1) [S.I. 1987/1967](#); relevant amending instruments are [S.I. 2017/995](#) and [2018/872](#).

(2) [S.I. 1996/207](#); relevant amending instruments are [S.I. 2017/995](#) and [2018/872](#).

(3) [S.I. 2002/1792](#); relevant amending instruments are [S.I. 2002/3019](#), [2017/422](#) and [2018/872](#).

(3) In Schedule V (capital disregarded for the purpose of calculating income), after paragraph 20(2)(q) insert—

“(r) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”.

Amendment of the Housing Benefit Regulations 2006

8.—(1) The Housing Benefit Regulations 2006(4) are amended as follows.

(2) In Schedule 5 (sums to be disregarded in the calculation of income other than earnings), after paragraph 68 insert—

“69. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 6 (capital to be disregarded), after paragraph 64 insert—

“65. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”.

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

9.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(5) are amended as follows.

(2) In regulation 29 (meaning of “income”), after paragraph (1)(j)(xvii) insert—

“(xviii) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 6 (capital to be disregarded generally), after paragraph 21(2)(p) insert—

“(q) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”.

Amendment of the Employment and Support Allowance Regulations 2008

10.—(1) The Employment and Support Allowance Regulations 2008(6) are amended as follows.

(2) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings), after paragraph 69 insert—

“70. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 9 (capital to be disregarded)

(a) the second paragraph numbered 61 is renumbered as paragraph 62;

(b) after paragraph 62 (as so renumbered) insert—

“63. Any early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018.”.

Amendment of the Universal Credit Regulations 2013

11.—(1) The Universal Credit Regulations 2013(7) are amended as follows.

(4) S.I. 2006/213; relevant amending instruments are S.I. 2017/995 and 2018/872.

(5) S.I. 2006/214; relevant amending instruments are S.I. 2014/3255, 2017/422 and 2018/872.

(6) S.I. 2008/794; relevant amending instruments are S.I. 2017/422, 2017/870 and 995 and 2018/872.

(7) S.I. 2013/376; amended by S.I. 2017/422; there are other amending instruments but none are relevant.

(2) In Schedule 10 (capital to be disregarded), after paragraph 20 insert—

“**21.** Any early years assistance given within the past 12 months in accordance with section 32 of the Social Security (Scotland) Act 2018.”.