



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

2013 asp 1

Direct payments

16 Misuse of direct payment: recovery

- (1) Subsection (2) applies where—
 - (a) a local authority makes a direct payment to a person, and
 - (b) the authority considers—
 - (i) that the direct payment has been used (wholly or partly) for some purpose other than to secure the provision of the support to which it relates, or
 - (ii) that there has been a contravention of provision made by regulations under section 15 in relation to the direct payment.
- (2) The authority may require the person to repay a sum equal to—
 - (a) the direct payment, or
 - (b) such part of the direct payment as the authority considers appropriate.