
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 137

**The Welfare Reform (Consequential Amendments)
(Scotland) (No. 2) Regulations 2013**

PART 2

Amendment of primary legislation

Social Work (Scotland) Act 1968

2. In section 78(2A) of the Social Work (Scotland) Act 1968(1) (duty to make contributions in respect of children in care etc.), after “receipt of” insert “universal credit under Part 1 of the Welfare Reform Act 2012(2).”.

Legal Aid (Scotland) Act 1986

3.—(1) The Legal Aid (Scotland) Act 1986(3) is amended as follows.

(2) In section 8(b)(4) (availability of advice and assistance), after “receipt of” insert “universal credit under Part 1 of the Welfare Reform Act 2012.”.

(3) In section 11(2)(b)(5) (clients’ contributions), after “receipt of” insert “universal credit under Part 1 of the Welfare Reform Act 2012.”.

Housing (Scotland) Act 1988

4. In section 18 of the Housing (Scotland) Act 1988(6) (orders for possession)—

- (a) in subsection (3A)(b), after “benefit” insert “or relevant universal credit”;
- (b) in subsection (4A), after “benefit” insert “or relevant universal credit”; and
- (c) in subsection (8)—

(i) after paragraph (a), insert—

“(aa) “relevant universal credit” means universal credit to which the tenant was entitled which includes an amount under section 11 of the Welfare Reform Act 2012 in respect of the rent;”;

(1) 1968 c.49; subsection (2A) was inserted in section 78 by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 19(6)(b) and amended by the Social Security Act 1986 (c.50), Schedule 10, paragraph 41(1), the Jobseekers Act 1995 (c.18), Schedule 2, paragraph 1 and the Welfare Reform Act 2007 (c.5), Schedule 3, paragraph 1. Section 78(2A) is prospectively amended by the Welfare Reform Act 2012 (c.5), Schedule 14, Part 1.

(2) 2012 c.5.

(3) 1986 c.47.

(4) Section 8(b) was amended by the Tax Credits Act 2002 (c.21), Schedule 3, paragraph 11 and the Welfare Reform Act 2007, Schedule 3, paragraph 4(2). It is prospectively amended by the Welfare Reform Act 2012, Schedule 14, Part 1.

(5) Section 11(2)(b) was amended by the Tax Credits Act 2002, Schedule 3, paragraph 12 and the Welfare Reform Act 2007, Schedule 3, paragraph 4(3). It is prospectively amended by the Welfare Reform Act 2012, Schedule 14, Part 1.

(6) 1988 c.43; section 18 was amended by the Homelessness etc. (Scotland) Act 2003 (asp 10), section 12, the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8), section 100 and the Housing (Scotland) Act 2006 (asp 1), section 180.

(ii) in paragraph (b), after “benefit” insert “or relevant universal credit”.

Children (Scotland) Act 1995

5. In section 22(4) of the Children (Scotland) Act 1995(7) (promotion of welfare of children in need), after “receipt of—” insert—

“(za) universal credit under Part 1 of the Welfare Reform Act 2012;”.

Adults with Incapacity (Scotland) Act 2000

6.—(1) The Adults with Incapacity (Scotland) Act 2000(8) is amended as follows.

(2) In section 39(1)(a)(9) (matters which may be managed), for “or Part 1 of the Welfare Reform Act 2007(10)” substitute “, Part 1 of the Welfare Reform Act 2007 or Part 1 or 4 of the Welfare Reform Act 2012”.

(3) In section 41(a)(11) (duties and functions of managers of authorised establishment), for “or Part 1 of the Welfare Reform Act 2007” substitute “, Part 1 of the Welfare Reform Act 2007 or Part 1 or 4 of the Welfare Reform Act 2012”.

Housing (Scotland) Act 2006

7. In paragraph 6(5) of schedule 2 to the Housing (Scotland) Act 2006(12) (recording and notification of decisions), after “housing benefit” in each place where these words occur insert “or universal credit”.

(7) 1995 c.36; section 22(4) was amended by the Tax Credits Act 1999 (c.10), Schedule 1, paragraph 6(j), the Tax Credits Act 2002, Schedule 3, paragraph 50 and the Welfare Reform Act 2007, Schedule 3, paragraph 14. It is prospectively amended by the Welfare Reform Act 2012, Schedule 14, Part 1.

(8) 2000 asp 4.

(9) Section 39(1)(a) was amended by the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1, paragraph 5(b) and the Welfare Reform Act 2007, Schedule 3, paragraph 22(2).

(10) 2007 c.5.

(11) Section 41(a) was amended by the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1, paragraph 5(c) and the Welfare Reform Act 2007, Schedule 3, paragraph 22(3).

(12) 2006 asp 1.