
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 137

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

PART 3

Amendment of secondary legislation

High Court of Justiciary Fees Order 1984

8. In article 2A of the High Court of Justiciary Fees Order 1984(1) (exemption of certain persons from fees), after paragraph (b) insert—

“(ba) the person is in receipt of universal credit under Part 1 of the Welfare Reform Act 2012;”.

Advice and Assistance (Scotland) Regulations 1996

9.—(1) The Advice and Assistance (Scotland) Regulations 1996(2) are amended as follows.

(2) In regulation 4(a) (applications for advice and assistance), after “support allowance” insert “, universal credit”.

(3) In regulation 16(2)(a) (payment of fees and outlays from property recovered or preserved), after sub-paragraph (x) insert—

“(xi) by way of universal credit under Part 1 of the Welfare Reform Act 2012.”.

(4) In paragraph 5(d) of Schedule 2 (assessment of disposable capital and income), after head (k) insert—

“(l) universal credit”.

Sheriff Court Fees Order 1997

10. In article 7(1) of the Sheriff Court Fees Order 1997(3) (exemption of certain persons from fees), after sub-paragraph (b) insert—

“(ba) the person is in receipt of universal credit under Part 1 of the Welfare Reform Act 2012;”.

Court of Session etc. Fees Order 1997

11. In article 5 of the Court of Session etc. Fees Order 1997(4) (exemption of certain persons from fees), after paragraph (b) insert—

(1) [S.I. 1984/252](#); relevant amending instruments are [S.S.I. 2007/321](#) and [2009/87](#).

(2) [S.I. 1996/2447](#); relevant amending instruments are [S.I. 1997/726](#), [1998/724](#) and [2008/1879](#) and [S.S.I. 2003/163](#) and [421](#) and [2011/134](#).

(3) [S.I. 1997/687](#); relevant amending instruments are [S.S.I. 2007/321](#) and [2009/87](#).

(4) [S.I. 1997/688](#); relevant amending instruments are [S.S.I. 2007/319](#) and [2009/88](#).

“(ba) the person is in receipt of universal credit under Part 1 of the Welfare Reform Act 2012;”.

National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998

12.—(1) The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998(5) are amended as follows.

- (2) In regulation 1(2) (interpretation), after the definition of “tax credit” insert—
 ““universal credit” means universal credit under Part 1 of the Welfare Reform Act 2012;”.
- (3) In regulation 8(3) (eligibility – supply of optical appliances)—
 (a) omit “or” immediately after sub-paragraph (o); and
 (b) at the end of sub-paragraph (p), insert—
 “; or
 (q) he is in receipt of universal credit.”.

Civil Legal Aid (Scotland) Regulations 2002

13.—(1) The Civil Legal Aid (Scotland) Regulations 2002(6) are amended as follows.

- (2) In regulation 33(a) (payments out of property recovered or preserved: exceptions), after sub-paragraph (xii) insert—
 “(xiii) by way of universal credit under Part 1 of the Welfare Reform Act 2012”.
- (3) In paragraph 5 of Schedule 2 (rules for computing disposable income), after sub-paragraph (f) insert—
 “(g) universal credit paid under Part 1 of the Welfare Reform Act 2012”.
- (4) In paragraph 7 of Schedule 3 (rules for computing disposable capital), after “support allowance” insert “or universal credit under Part 1 of the Welfare Reform Act 2012”.

Council Tax (Discounts) (Scotland) Consolidation and Amendment Order 2003

14. In article 4(2) of the Council Tax (Discounts) (Scotland) Consolidation and Amendment Order 2003(7) (the severely mentally impaired)—

- (a) omit “and” immediately after sub-paragraph (k); and
 (b) at the end of sub-paragraph (l), insert—
 “; and
 (m) universal credit under Part 1 of the Welfare Reform Act 2012”.

National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003

15.—(1) The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003(8) are amended as follows.

- (2) In regulation 2 (interpretation), after the definition of “trade dispute” insert—

(5) S.I. 1998/642; relevant amending instruments are S.S.I. 2003/218 and 431, 2004/97 and 168, 2005/119, 2006/138, 2008/289 and 2011/55.
 (6) S.S.I. 2002/494; relevant amending instruments are S.S.I. 2007/59, 2010/166 and 2011/134 and S.I. 2008/1879.
 (7) S.S.I. 2003/176; relevant amending instruments are S.I. 2008/1879 and S.S.I. 2013/65.
 (8) S.S.I. 2003/460; relevant amending instruments are S.S.I. 2004/102 and 166, 2007/259, 2008/27 and 288, 2009/124 and 2011/55.

““universal credit” means universal credit under Part 1 of the Welfare Reform Act 2012;”.

(3) In regulation 4(2) (description of persons entitled to full remission and payment), after sub-paragraph (b) insert—

“(ba) a person who is in receipt of universal credit;”.

Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003

16. In regulation 13(6)(a) of the Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003(9) (manner in which financial assistance is provided), after “allowance” insert “, universal credit”.

Education Maintenance Allowances (Scotland) Regulations 2007

17. In paragraph 3(e) of Schedule 2 to the Education Maintenance Allowances (Scotland) Regulations 2007(10) (ordinary residence), after “income support” insert “, universal credit”.

Bankruptcy (Scotland) Act 1985 (Low Income, Low Asset Debtors etc.) Regulations 2008

18. In regulation 2(2) of the Bankruptcy (Scotland) Act 1985 (Low Income, Low Asset Debtors etc.) Regulations 2008(11) (debtor’s weekly income), after “2002” insert “or universal credit under Part 1 of the Welfare Reform Act 2012”.

Housing (Scotland) Act 2006 (Scheme of Assistance) Regulations 2008

19.—(1) The Housing (Scotland) Act 2006 (Scheme of Assistance) Regulations 2008(12) are amended as follows.

(2) In regulation 2 (interpretation), after the definition of “subsidised loan” insert—

““universal credit” means universal credit payable under Part 1 of the Welfare Reform Act 2012.”.

(3) In regulation 4(3) (minimum percentage grant), after sub-paragraph (b) insert—

“(ba) universal credit;”.

Adoption Support Services and Allowances (Scotland) Regulations 2009

20.—(1) The Adoption Support Services and Allowances (Scotland) Regulations 2009(13) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) omit “and” immediately after the definition of “jobseeker’s allowance”; and

(b) after the definition of “kinship carer”, insert—

““universal credit” means universal credit under Part 1 of the Welfare Reform Act 2012.”.

(3) In regulation 14(c) (termination of adoption allowances), after “support” insert “, universal credit”.

(9) [S.S.I. 2003/608](#).

(10) [S.S.I. 2007/156](#); relevant amending instrument is [S.I. 2008/1879](#).

(11) [S.S.I. 2008/81](#).

(12) [S.S.I. 2008/406](#).

(13) [S.S.I. 2009/152](#).

Individual Learning Account (Scotland) Regulations 2011

21. In regulation 3(6)(b) of the Individual Learning Account (Scotland) Regulations 2011(**14**) (qualifying persons)—

(a) omit “or” immediately after head (vi); and

(b) at the end of head (vii), insert—

“; or

(viii) universal credit payable under Part 1 of the Welfare Reform Act 2012”.

Justice of the Peace Court Fees (Scotland) Order 2012

22. In article 3(1) of the Justice of the Peace Court Fees (Scotland) Order 2012(**15**), after subparagraph (b) insert—

“(ba) the person is in receipt of universal credit under Part 1 of the Welfare Reform Act 2012;”.

(14) S.S.I. 2011/107; relevant amending instrument is S.S.I. 2012/172.

(15) S.S.I. 2012/292.