
STATUTORY INSTRUMENTS

2020 No. 989

The Social Security (Scotland) Act 2018 (Young Carer Grants,
Short-Term Assistance and Winter Heating Assistance)
(Consequential Provision and Modifications) Order 2020

PART 3

Short-term assistance

Short-term assistance: capital and income disregards

Amendment of the Income Support (General) Regulations 1987

9.—(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 84 insert—

“85. Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 10 (capital to be disregarded), in paragraph 7(1)(a), for “9, 76A or 84” substitute “9, 76A, 84 or 85”.

Amendment of the Jobseeker’s Allowance Regulations 1996

10.—(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 80 insert—

“81. Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 8 (capital to be disregarded), in paragraph 12(1)(a), for “10, 72A or 80” substitute “10, 72A, 80 or 81”.

Amendment of the State Pension Credit Regulations 2002

11.—(1) The State Pension Credit Regulations 2002(3) are amended as follows.

(2) In regulation 15(1) (social security benefits that are not prescribed as income for the purposes of section 15(1)(e) of the State Pension Credit Act 2002) (as amended by articles 4(2) of this Order), after sub-paragraph (re) insert—

(1) [S.I. 1987/1967](#); relevant amending instruments are [S.I. 2019/1060](#), [S.I. 2019/1314](#) and [S.I. 2020/482](#).

(2) [S.I. 1996/207](#); relevant amending instruments are [S.I. 2019/1060](#), [S.I. 2019/1314](#) and [S.I. 2020/482](#).

(3) [S.I. 2002/1792](#); relevant amending instruments are [S.I. 2019/1060](#), [S.I. 2019/1314](#) and [S.I. 2020/482](#).

“(rf) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 5 (capital disregarded for the purpose of calculating income) (as amended by article 4(3) of this Order), in paragraph 20(2), after paragraph (v) insert—

“(w) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

Amendment of the Housing Benefit Regulations 2006

12.—(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 71 insert—

“72. Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 6 (capital to be disregarded), in paragraph 9(1)(a), for “8, 9 or 71” substitute “8, 9, 71 or 72”.

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

13.—(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”) (as amended by articles 6(2) of this Order), after paragraph 1(j)(xviii) insert—

“(xviii) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 6 (capital to be disregarded generally), in paragraph 21(2) (as amended by articles 6(3)(a) of this Order), after paragraph (u) insert—

“(v) short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018;”.

Amendment of the Employment and Support Allowance Regulations 2008

14.—(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 72 insert—

“73. Any short-term assistance given in accordance with regulations made under section 36 of the Social Security (Scotland) Act 2018.”.

(3) In Schedule 9 (capital to be disregarded) (as amended by article 7(2) of this Order), in paragraph 11(1)(a), for “8, 10, 11, 66 or 72” substitute “8, 10, 11, 66, 72 or 73”.

(4) S.I. 2006/213; relevant amending instruments are S.I. 2019/1060, and S.I. 2020/482.

(5) S.I. 2006/214; relevant amending instruments are S.I. 2019/1060 and S.I. 2020/482.

(6) S.I. 2008/794; relevant amending instruments are S.I. 2019/1060, S.I. 2019/1314 and S.I. 2020/482.