
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 4

Winter heating assistance

Winter heating assistance: capital and income disregards

Amendment of the Income Support (General) Regulations 1987

15.—(1) The Income Support (General) Regulations 1987(1) are amended as follows.

(2) In Schedule 10 (capital to be disregarded) (as amended by article 2(2) of this Order), after paragraph 77 insert—

“**78.** Any winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

Amendment of the Jobseeker’s Allowance Regulations 1996

16.—(1) The Jobseeker’s Allowance Regulations 1996(2) are amended as follows.

(2) In Schedule 8 (capital to be disregarded) (as amended by article 3(2) of this Order), after paragraph 70 insert—

“**71.** Any winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018.”.

Amendment of the State Pension Credit Regulations 2002

17.—(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) and 11(2) of this Order), after sub-paragraph (rf) insert—

“(rg) winter heating assistance given in accordance with regulations made under section 30 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 articles 4(3) and 11(3) of this Order), in paragraph 20(2), after sub-paragraph (w) insert—

(1) [S.I. 1987/1967](#); relevant amending instrument is [S.I. 2019/1060](#).

(2) [S.I. 1996/207](#); relevant amending instrument is [S.I. 2019/1060](#).

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

“(x) winter heating assistance given in accordance with regulations made under section 30 of the Social Security (Scotland) Act 2018;”.

Amendment of the Housing Benefit Regulations 2006

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

(2) In Schedule 6 (capital to be disregarded) (as amended by article 5(2) of this Order), after paragraph 67 insert—

“**68.** Any winter heating assistance given in accordance with regulations made under section 30 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

19.—(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) and 13(2) of this Order), after paragraph 1(j)(xvii) insert—

“(xviii) “winter heating assistance given in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018;”.

(3) In Part 1 of Schedule 6 (capital to be disregarded generally)—

(a) in paragraph 21(2) (as amended by articles 6(3)(a) and 13(3) of this Order), after paragraph (v) insert—

“(w) winter heating assistance given in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018;”.

(b) after paragraph 26J (as inserted by article 6(3)(b) of this Order) insert—

“**26K.** Any sum paid by means of winter heating assistance in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018.”

Amendment of the Employment and Support Allowance Regulations 2008

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

(2) In Schedule 9 (capital to be disregarded) (as amended by articles 7(2) and 14(3) of this Order), after paragraph 65 insert—

“**66.** Any winter heating assistance given in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018.”.

Amendment of the Universal Credit Regulations 2013

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

(2) In Schedule 10 (capital to be disregarded) (as amended by article 8(2) of this Order), after paragraph 23 insert—

“**24.** Any winter heating assistance given within the past 52 weeks in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018.”.

(4) S.I. 2006/213; relevant amending instruments is S.I. 2019/1060.

(5) S.I. 2006/214; relevant amending instruments are S.I. 2017/870, S.I. 2019/1060, S.I. 2019/1314 and S.I. 2020/482.

(6) S.I. 2008/794; relevant amending instrument is S.I. 2019/1060.

(7) S.I. 2013/376; relevant amending instrument is S.I. 2019/1060.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*
