

Changes to legislation: The Council Tax Reduction (Scotland) Regulations 2021, Paragraph 18 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 1

Applicable amount

PART 6

Work-related activity and support components

Work-related activity and support components

18.—(1) Subject to paragraph 20 the applicant is entitled to one, but not both, of the components in paragraph 21 or 22 if—

- (a) the applicant or the applicant’s partner has made a claim for employment and support allowance, ^[F1]or]
 - ^[F2](aa) the applicant or the applicant’s partner (or the couple jointly) has an award of universal credit,
 - (b) the Secretary of State has decided that the applicant or the applicant’s partner has, or is to be treated as having, limited capability for work or limited capability for work-related activity, and
 - (c) ^[F3]where the applicant or the applicant’s partner has made a claim for employment and support allowance,] either—
 - (i) the assessment phase as defined in section 24(2) of the 2007 Act has ended, or
 - (ii) regulation 7 of the Employment and Support Allowance Regulations (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work related activity component arises does not apply)(^[1]^[F4]or regulation 7 of the Employment and Support Allowance Regulations 2013 (circumstances where the requirement that the assessment phase has ended before entitlement to the support component arises does not apply)] applies.
- (2) In this Part—
- (a) “limited capability for work”—
 - (i) ^[F5]in the case of an applicant who has an award of universal credit, in the case where the partner of an applicant has an award of universal credit, or in the case where the couple jointly has an award of universal credit] has the meaning given to it in regulation 39 of the 2013 Regulations,
 - (ii) in all other cases, has the meaning given to it in section 1(4) of the 2007 Act,
 - (b) “limited capability for work-related activity”—
 - (i) ^[F6]in the case of an applicant who has an award of universal credit, in the case where the partner of an applicant has an award of universal credit, or in the case where the couple jointly has an award of universal credit] has the meaning given to “limited capability for work and work-related activity” in regulation 40 of the 2013 Regulations,
 - (ii) in all other cases, has the meaning given to it in section 2(5) of the 2007 Act.

(1) Regulation 7 was amended by [S.I. 2008/3051](#), [S.I. 2010/840](#), [S.I. 2012/874](#), [S.I. 2012/913](#), [S.I. 2012/919](#), [S.I. 2017/204](#) and [S.I. 2017/581](#).

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Textual Amendments

- F1** Word in sch. 1 para. 18(1)(a) inserted (3.11.2022) by [The Council Tax Reduction and Council Tax \(Discounts\) \(Miscellaneous Amendment\) \(No. 2\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/271\)](#), regs. 1(2), **3(2)(e)(i)**
- F2** Sch. 1 para. 18(1)(aa) inserted (3.11.2022) by [The Council Tax Reduction and Council Tax \(Discounts\) \(Miscellaneous Amendment\) \(No. 2\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/271\)](#), regs. 1(2), **3(2)(e)(ii)**
- F3** Words in sch. 1 para. 18(1)(c) inserted (3.11.2022) by [The Council Tax Reduction and Council Tax \(Discounts\) \(Miscellaneous Amendment\) \(No. 2\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/271\)](#), regs. 1(2), **3(2)(e)(iii)(aa)**
- F4** Words in sch. 1 para. 18(1)(c)(ii) inserted (3.11.2022) by [The Council Tax Reduction and Council Tax \(Discounts\) \(Miscellaneous Amendment\) \(No. 2\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/271\)](#), regs. 1(2), **3(2)(e)(iii)(bb)**
- F5** Words in sch. 1 para. 18(2)(a)(i) substituted (3.11.2022) by [The Council Tax Reduction and Council Tax \(Discounts\) \(Miscellaneous Amendment\) \(No. 2\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/271\)](#), regs. 1(2), **3(2)(e)(iv)**
- F6** Words in sch. 1 para. 18(2)(b)(i) substituted (3.11.2022) by [The Council Tax Reduction and Council Tax \(Discounts\) \(Miscellaneous Amendment\) \(No. 2\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/271\)](#), regs. 1(2), **3(2)(e)(iv)**

Commencement Information

- I1** Sch. 1 para. 18 in force at 1.4.2022, see [reg. 1](#)

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 12(1)(a)(iii**b**) inserted by [S.S.I. 2024/141 reg. 11\(5\)\(b\)\(ii\)](#)
- reg. 77(12)(f)(xii) and word inserted by [S.S.I. 2024/141 reg. 11\(3\)\(b\)](#)
- reg. 90(6)(b)(vii) and word inserted by [S.S.I. 2024/141 reg. 11\(4\)\(a\)\(ii\)](#)