
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 436

SOCIAL SECURITY

**The Universal Credit (Claims and Payments)
(Scotland) Amendment Regulations 2017**

Made - - - - 13th December 2017
Laid before the Scottish
Parliament - - - - 15th December 2017
Coming into force - - 31st January 2018

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 5(1)(i) and (p) and section 189(4)(a), (5) and (6) of the Social Security Administration Act 1992(1) and all other powers enabling them to do so.

In accordance with sections 29(4) and 30(3) of the Scotland Act 2016(2), they have consulted the Secretary of State.

Citation and commencement

1. These Regulations may be cited as the Universal Credit (Claims and Payments) (Scotland) Amendment Regulations 2017 and come into force on 31st January 2018.

Amendment of the Universal Credit (Claims and Payments) (Scotland) Regulations 2017

2.—(1) Regulation 6 of the Universal Credit (Claims and Payments) (Scotland) Regulations 2017(3) (applications for, and awards of, universal credit to which those Regulations do not apply) is amended as follows.

(2) In paragraph (1), at the start insert “Other than as described in paragraph (1A),”.

(3) After paragraph (1), insert—

“(1A) From 31st January 2018, regulations 1, 2 and 4 have effect in relation to the awards and applications described in paragraph (1), unless it is an award or application to which either of the following conditions applies—

(1) 1992 c.5 (“the 1992 Act”). Functions under these sections are exercisable by the Scottish Ministers (concurrently with the Secretary of State) by virtue of section 29(1) and (2)(b) and section 30(1) and (2) of the Scotland Act 2016 (c.11). Section 5 of the 1992 Act was relevantly amended by paragraph 5 of schedule 2 of the Welfare Reform Act 2012 (c.5).
(2) 2016 c.11.
(3) S.S.I. 2017/227.

Status: This is the original version (as it was originally made).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

- (a) an award of universal credit which is not administered on the digital service computer system operated by the Secretary of State in digital service areas;
- (b) an application for such an award which will not be administered on that system if granted.”.

(4) In paragraph (2) (meaning of “digital service area”), for “the purpose of paragraph (1)(c),” substitute “the purposes of paragraphs (1)(c) and (1A)(a),”.

St Andrew’s House,Edinburgh
13th December 2017

JEANE FREEMAN
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the transitional arrangements that apply to flexibilities to the operation of the claims and payments system for universal credit in relation to Scotland. Those flexibilities allow a person to request twice-monthly payments, rather than monthly payments, and to have some payments made directly to persons to whom rent and service charges are due.

Regulation 6 of the Universal Credit (Claims and Payments) (Scotland) Regulations 2017 ([S.S.I. 2017/227](#)) provides that the flexibilities given effect to by those Regulations only apply where the person's application for an award of universal credit award is made on or after the date that those Regulations come into force and where that award will be administered on the Secretary of State's digital service computer system. That system is currently being rolled out across Scotland.

These Regulations amend regulation 6 to enable some of these excluded persons to request that one or both of the flexibilities be applied to their universal credit payments. The effect is to extend the flexibilities to all persons whose awards are being, or will be, administered on the digital service computer system.