The collected Scottish Social Security Legislation

TARTAN BOOK: SOCIAL SECURITY



Introduction

The purpose of this document is to provide links to all the legislation concerned with Scottish Social Security. It contains hyperlinks to all primary and secondary legislation developed by the Scottish government that provides for Social Security including all the benefits administered by the Scottish Social Security agency. It also includes hyperlinks to Upper tribunal of Scotland decisions related to the social security chamber.

Over the life of the tartan book some non-legislation links have been added including interpretive guidance to some aspect of Social Security in Scotland, in that vein The Tartan Book now includes links to decisions of the Upper Tribunal for Scotland. The relationship between Scottish benefits and UK benefits also has to be considered so the tartan book now includes information about aspects of UK benefits that have a direct or indirect impact in Scotland.

This volume now runs to almost 60 pages of links to Scottish Social Security legislation, but as you know, hard copies of the legislation would run to considerably more.

Since the first creation of the Tartan book in November 2021 there have been, almost monthly updates, this is our third anniversary.

As to why it is called the Tartan Book, it is a reminder of the days when the DWP collated its Legislation in the Yellow, later the Blue volumes.

All the Legislation links unless otherwise stated are to Legislation UK,

The next Tartan book will be issued in April 2025

Contents

Introduction	1
This month's update:	4
New legislation this month includes	4
Case law update	6
Acts of the UK parliament	8
Acts of the Scottish Parliament	9
Bills before the Scottish parliament	10
Commencement orders	11
Benefits legislation	14
Best Start	14
Children	15
Disability: Children	16
Disability: Working Age	17
Disability Benefits: Older persons	19
Funeral payments	20
Industrial injuries	21
Job start payment	22
Carers	23
Heating	25
Advocacy	26
Claims and Payments	27
Tribunals	28
EU and other Nationals	31
Sudan	32
Ukraine	33
Equality	34
Poverty	36
Cost of Living	37
Consumer protection	38
Miscellaneous	39
Correction slip	40
UK Regulations relating to Social Security Scotland	41
National Assistance	43

Local Authority Administered Benefits	44
Scottish Welfare Fund	44
`Council Tax Reduction	45
Draft regulations 2025	50
Referred draft regulations to the Scottish commission on Social Security	51
Case Law	52
Benefit Delivery Agencies	56
The Scottish Public Service ombudsman	57
Miscellaneous	58
Guidance	59

This month's update:

In this months Tartan book you will find links to 5 new pieces of legislation, 3 upper tribunal decisions and a link to the Scottish governments consultation on the mitigation of the two child cap in Universal Credit.

New legislation this month includes

The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2025

From the policy note

The purpose of this order is to amend the Council Tax (Exempt Dwellings) (Scotland) Order 1997 ("the 1997 Order"), which lists those classes of dwellings which are exempt from Council Tax in Scotland. This Order substitutes a new paragraph 26 into schedule 1 of the 1997 Order. This updates the exemption relating to dwellings made available as the sole or main residence of a person with permission to enter or stay in the United Kingdom under the Homes for Ukraine Sponsorship Scheme. It also exempts certain dwellings used as the sole or main residence of a person with permission to stay in the United Kingdom under the Ukraine Permission Extension Scheme (UPE), or a person who has applied for permission to stay under UPE and is awaiting the outcome of the application. The amendment ensures that no council tax is payable in respect of a dwelling used as the sole or main residence of: • one or more persons who has permission to enter or stay in the United Kingdom (UK) under the Homes for Ukraine Sponsorship Scheme, or UPE, (or who has applied for permission under UPE and is awaiting the outcome of their application), where the accommodation is made available by a person approved by a local authority to provide accommodation as a host, other than a host who is a close relative of the person, or ● one or more persons falling within the description above plus one or more persons falling within paragraph 10(a) of schedule 1 of the 1997 Order.

The Council Tax Reduction and Council Tax (Discounts) (Miscellaneous Amendment) (Scotland) Regulations 2025

From the policy note

The purpose of this instrument is to ensure that: • entitlement to a Single Person Discount in relation to Council Tax liability, is not affected by there being a Ukrainian national/s or a member of their immediate family who have been granted permission to stay in the United Kingdom (UK) under the Ukraine Permission Extension (UPE) Scheme (or who have applied for permission under the scheme and are awaiting the outcome of their application) living in the household of a person who is approved by a local authority to provide accommodation as a host, except where the host is a close relative of the person being accommodated. • Council Tax Reduction (CTR) support is not reduced on account of a Ukrainian national or their immediate family member who have permission to stay in the UK under the UPE Scheme (or who have applied for permission under the UPE Scheme and are awaiting the outcome of their application) and are being provided with accommodation by an approved host, being treated as a non-dependant of a CTR applicant, again where the host is not a close relative of the person being accommodated. The instrument also updates the provision for disregard and treatment as not being a non-dependant for Ukrainian nationals and their immediate

family members in the UK under the Homes for Ukraine Sponsorship scheme, so that it applies where accommodation is provided by an approved host.

The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2025

From policy note

To increase the value of savings credit disregard from £8.15 to £8.50 for a single person and from £12.10 to £12.60 for a couple in line with average earnings which is currently forecast at 4.1%. To increase the lower capital limit from £21,500 to £22,000 and the upper capital limit from £35,000 to £35,500 in line with CPI forecast at 1.7%. To disregard the following payments to individuals living in residential care: Grenfell Tower fire payments; payments made under an infected blood payment scheme, and, in certain circumstances, payments made by or out of the estates of certain recipients of those schemes; ; payments under the LGBT Financial Recognition Scheme; payments made as a result of the failings of theHorizon System during the period it was used by the Post Office; and payments under the Vaccine Damage Payments Act 1979, including payments to the partners of recipients. This will ensure that these payments are not taken into consideration by local authorities when they carry out a financial assessment for charges for those living in residential care.

The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2025

From the policy note

To increase the value of personal expenses allowance in line with average earnings, an increase of 4.1%.

The Cost of Living (Tenant Protection) (Saving Provision) (Scotland) Regulations 2025

From the policy note

The Cost of Living (Tenant Protection) (Saving Provision) (Scotland) Regulations 2025 (the "2025 Regulations") contain saving provisions to support transition out of the temporary modifications to rent adjudication provided for by The Rent Adjudication (Temporary Modification) (Scotland) Regulations 2024 (the "2024 regulations") which are due to expire at the end of 31 March 2025. Saving provisions mean that the 2024 Regulations modification will continue to have effect as they did immediately before their expiry in relation to referrals and appeals to Rent Service Scotland and the First-tier Tribunal for Scotland (Housing and Property Chamber) for an adjudication of a rent increase for those applications made before 1 April 2025.

Case law update

J A against Social Security Scotland

Decision

The Upper Tribunal allows the appeal, quashes the decision of the First-tier Tribunal for Scotland ("FTS") dated 4 October 2025 and remits the case to a differently constituted First-tier Tribunal. Reasons

1. I granted the appellant permission to appeal on the following point of law: "Whether an omission by Social Security Scotland to inform the First-tier Tribunal for Scotland of the identity of a claimant's representative, when that information was known to Social Security Scotland, in the circumstances of this case, was a failure to comply with the duty referred to in rule 2(4) of the First-tier Tribunal for Scotland Social Security Chamber Rules of Procedure 2018 ("the FTS Procedure Rules"); and in the event that it was such a failure, what consequence should follow."

LK against Social Security Scotland

Decision

In terms of regulations 11(1)(c)(i) and 11(5)(b) of the Disability Assistance for Children and Young People (Scotland) Regulations, 2021, the appellant is entitled to receive the care component of Child Disability Payment in respect of the child, E, at the middle rate for the period 8 July 2022 to 8 April 2025.

Reasons 1. This is a decision on disposal of the appeal which is supplementary to my decision on the merits of the appeal dated **24 January 2025**. It should be read together with that previous decision.

2. Ultimately, neither party insisted upon an oral hearing on the question of whether the claim should be remitted to a new tribunal or determined by me on the basis of the findings in fact made by the FTS.

3. I have concluded that, on the basis of the findings in fact made by the FTS, only one conclusion is possible. A remit to the FTS is not necessary, and it is appropriate for the claim should to be determined by me.

JG against Social Security Scotland

The Tribunal ORDERS that: the appeal is GRANTED, the decision of the First-Tier Tribunal for Scotland in this matter dated 16 April 2024 is quashed and the case is remitted to the First-Tier Tribunal to be reconsidered by a differently constituted Tribunal.

Acts of the UK parliament

Scotland Act 2016

Equality Act 2010	2010 c. 15
Employment and Training Act 1973	<u>1973 c. 50</u>
Scotland Act 1998	<u>1998 c. 46</u>

Acts of the Scottish Parliament		
Social Security (Amendment) (Scotland) Act 2025		
Bankruptcy and Diligence (Scotland) Act 2024		
United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024		
Consumer Scotland Act 2020		
Coronavirus (Scotland) Act 2020		
Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019		
Child Poverty (Scotland) Act 2017		
Welfare Funds (Scotland) Act 2015		

Social Security (Scotland) Act 2018

Social Security Administration and Tribunal Membership (Scotland) Act 2020

Carer's Allowance Supplement (Scotland) Act 2021

Cost of Living (Tenant Protection) (Scotland) Act 2022

Bills before the Scottish parliament

Social Security (Amendment) (Scotland) Bill

Introduced: 31 October 2023

Bill type: Government Bill

Bill stage: Stage 3

Commencement orders

The Bankruptcy and Diligence (Scotland) Act 2024 (Commencement No. 1, Transitional and Saving Provisions) Regulations 2024	2024 No. 373 (C. 25)
The Social Security (Scotland) Act 2018 (Commencement No. 10 and Transitional Provision) Regulations 2024	2024 No. 57 (C. 5)
The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 (Commencement) Regulations 2024	2024 No. 13 (C. 2)
The Social Security (Scotland) Act 2018 (Commencement No. 4 and Saving Provision) Regulations 2018	2018 No. 393 (C. 26)
The Social Security (Scotland) Act 2018 (Commencement No. 3) Regulations 2018	2018 No. 357 (C. 22)
The Social Security (Scotland) Act 2018 (Commencement No. 2, Transitory and Saving Provision) Regulations 2018	2018 No. 298 (C. 20)
The Social Security (Scotland) Act 2018 (Commencement No. 1) Regulations 2018	2018 No. 250 (C. 17)
The Social Security (Scotland) Act 2018 (Commencement No. 2, Transitory and Saving Provision and Commencement No. 4 and Saving Provision) Amendment Regulations 2019	2019 No. 406
The Social Security (Scotland) Act 2018 (Commencement No. 5, Revocation and Saving Provision) Regulations 2019	2019 No. 269 (C. 8)
The Social Security (Scotland) Act 2018 (Commencement No. 8) Regulations 2020	2020 No. 295 (C. 26)
The Social Security (Scotland) Act 2018 (Commencement No. 7) Regulations 2020	2020 No. 127 (C. 14)

The Social Security (Scotland) Act 2018 (Commencement No. 6) Regulations 2020

2020 No. 75 (C. 8) <u>The Social Security Administration and Tribunal</u>
<u>Membership (Scotland) Act 2020 (Commencement No. 6)</u>
<u>Regulations 2022</u>

2022 No. 146 (C. 8)

<u>The Social Security Administration and Tribunal Membership (Scotland) Act</u> 2020 (Commencement No. 5 and Transitional Provisions) Regulations 2021

The Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 4) Regulations 2021	2021 No. 352 (C. 26)
The Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 3) Regulations 2021	2021 No. 338 (C. 23)
The Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 2) Regulations 2021	2021 No. 232 (C. 12)
The Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 1) Regulations 2020	2020 No. 422 (C. 39)

Benefits legislation

Best Start

The Welfare Foods (Best Start Foods) (Scotland) Amendment Regulations 2022	2022 No. 167
The Welfare Foods (Best Start Foods) (Scotland) Amendment Regulations 2021	2021 No. 221
The Welfare Foods (Best Start Foods) (Scotland) Amendment Regulations 2019	2019 No. 232
The Welfare Foods (Best Start Foods) (Scotland) Regulations 2019	2019 No. 193
The Early Years Assistance (Best Start Grants) (Scotland) Amendment (No. 2) Regulations 2019	2019 No. 157
The Early Years Assistance (Best Start Grants) (Scotland) Amendment (No. 1) Regulations 2019	2019 No. 110
The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018	2018 No. 370

Children

The Scottish Child Payment (Ancillary Provision) Regulations 2022	2022 No. 326
The Scottish Child Payment (Saving Provisions) Regulations 2022	2022 No. 302

The Scottish Child Payment Regulations 2020 and the Disability Assistance for Children and Young People (Scotland) Regulations 2021 (Miscellaneous Amendments) Regulations 2022	<u>2022 No. 41</u>
The Scottish Child Payment Amendment Regulations 2021	2021 No. 16
The Scottish Child Payment Regulations 2020	2020 No. 351
The Early Years Assistance (Best Start Grants) (Scotland) Amendment (No. 2) Regulations 2019	2019 No. 157
The Early Years Assistance (Best Start Grants) (Scotland) Amendment (No. 1) Regulations 2019	2019 No. 110
The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018	<u>2018 No. 370</u>

Disability: Children

The Scotland Act 2016 (Social Security) (Adult Disability Payment and Child Disability Payment) (Amendment) Regulations 2022	2022 No. 335
The Disability Assistance for Children and Young People (Scotland) Regulations 2021	2021 No. 174
The Disability Assistance for Children and Young People (Consequential Amendments) (Scotland) Regulations 2021	2021 No. 122
The Disability Assistance for Children and Young People (Consequential Amendment and Transitional Provision) (Scotland) Regulations 2021	<u>2021 No. 73</u>

Disability: Working Age

The Disability Assistance for Working Age People (Transitional Provisions and Miscellaneous Amendment) (Scotland) Regulations 2022	2022 No. 217
The Disability Assistance for Working Age People (Scotland) Regulations 2022	2022 No. 54
The Disability Assistance for Working Age People (Consequential and Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022	2022 No. 31
The Scotland Act 2016 (Social Security) (Adult Disability Payment and Child Disability Payment) (Amendment) Regulations 2022	2022 No. 335
The Social Security (Scotland) Act 2018 (Disability Assistance and Information-Sharing) (Consequential Provision and Modifications) Order 2022	2022 No. 332

The Social Security (Scotland) Act 2018 (Information-Sharing

and Disability Assistance) (Consequential Provision and

Modifications) Order 2021

The Disability Assistance (Miscellaneous Amendment) (Scotland) Regulations 2023

2021 No.

1188

2023 No. 346

The Social Security (Industrial Injuries Benefit and Personal Independence Payment) (Telephone and Video Assessment) (Miscellaneous Amendments) (Scotland) Regulations 2021	2021 No. 97
The Social Security (Personal Independence Payment) Amendment (Scotland) Regulations 2020	2020 No. 340
The Personal Independence Payment (Transitional Provisions) Amendment (Scotland) Regulations 2020	2020 No. 218

Disability Benefits: Older persons

The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025	<u>2025 No. 3</u>
The Disability Assistance (Scottish Adult Disability Living Allowance) (Consequential Amendment, Revocation and Saving Provision) Regulations 2024	<u>2024 No.</u> <u>311</u>
The Disability Assistance for Older People (Scotland) Regulations 2024	2024 No. 166
The Disability Assistance for Older People (Consequential Amendment and Transitional Provision) (Scotland) Regulations 2024	2024 No. 141

Funeral payments

The Funeral Expense Assistance (Scotland) Amendment Regulations 2024	2024 No. 363
The Funeral Expense Assistance and Young Carer Grants (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2020	2020 No. 99
The Funeral Expense Assistance (Scotland) Regulations 2019	2019 No. 292

Industrial injuries

The Social Security (Industrial Injuries) (Prescribed Diseases)

Amendment (Scotland) Regulations 2022

2022 No. 42

Job start payment

The powers used by Social Security Scotland to deliver JSP are those under section 2 of the Employment and Training Act 1973, transferred to Scotlish Ministers in accordance with Article 2 of the Scotland Act 1998 (Transfer of Functions to the Scotlish Ministers etc.) Order 2020.

<u>The Scotland Act 1998 (Transfer of Functions to the Scottish</u>
<u>Ministers etc.) Order 2020</u>

2020 No. 276

Carers

The Social Security (Genuine and Sufficient Link to the United Kingdom) (Miscellaneous Amendment) (Scotland) Regulations 2024	2024 No. 241
The Carer's Assistance (Carer Support Payment) (Scotland) Amendment Regulations 2024	2024 No. 173
The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023	2023 No. 302
The Carer's Assistance (Carer Support Payment) (Consequential and Miscellaneous Amendments and Transitional Provision) (Scotland) Regulations 2023	2023 No. 258
The Carer's Allowance Up-rating (Miscellaneous Amendment) (Scotland) Regulations 2022	• <u>2022 No. 28</u>
The Carer's Allowance Supplement and Young Carer Grants (Residence Requirements and Procedural Provisions) (EU Exit) (Scotland) Regulations 2020	• 2020 No. 475
The Funeral Expense Assistance and Young Carer Grants (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2020	• 2020 No. 99
The Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019	• 2019 No. 324

Heating

he Winter Heating Assistance (Pension Age) (Scotland) Regulations 2024	2024 No. 351
The Winter Heating Assistance (Low Income) (Scotland) Regulations 2023	2023 No. 16
The Winter Heating Assistance for Children and Young People (Scotland) Amendment Regulations 2021	2021 No. 415
The Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020	2020 No. 352

Advocacy

The Social Security (Advocacy Service Standards) (Scotland) Regulations 2020	2020 No. 115
The Social Security (Advocacy Service Standards) (Scotland) Amendment Regulations 2021	2021 No. 399
The Social Security (Advocacy Service Standards) (Scotland) Amendment Regulations 2021	2021 No. 399

Claims and Payments

The Social Security (Claims and Payments) (Miscellaneous Amendments) (Scotland) Regulations 2021	2021 No. 305
The Universal Credit (Claims and Payments) (Scotland) Amendment Regulations 2017	2017 No. 436
The Universal Credit (Claims and Payments) (Scotland) Regulations 2017	2017 No. 227

Tribunals

The First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland (Composition and Procedure) (Miscellaneous Amendment) Regulations 2023	2023 No. 200
The First-tier Tribunal for Scotland Housing and Property Chamber (Amendment) Regulations 2023	2023 No. 6
he First-tier Tribunal for Scotland General Regulatory Chamber and Upper Tribunal for Scotland (Composition and Rules of Procedure) (Miscellaneous Amendment) Regulations 2023	2023 No. 159
The First-tier Tribunal for Scotland (Allocation of Functions to the General Regulatory Chamber) Regulations 2023	2023 No. 158
The Upper Tribunal for Scotland (Transfer of Valuation for Rating Appeal Functions of the Lands Tribunal for Scotland) Regulations 2023	2023 No. 48
The First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland (Composition) Regulations 2023	2023 No. 47
The First-tier Tribunal for Scotland (Transfer of Functions of the Council Tax Reduction Review Panel) Regulations 2023	2023 No. 46
The First-tier Tribunal for Scotland (Transfer of Functions of Valuation Appeals Committees) Regulations 2023	2023 No. 45
The First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland (Rules of Procedure) (Miscellaneous Amendment) Regulations 2023	2023 No. 40
The First-tier Tribunal for Scotland Housing and Property Chamber (Amendment) Regulations 2023	2023 No. 6
The Upper Tribunal for Scotland (Local Taxation Rules of Procedure) Regulations 2022	2022 No. 365

The First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022	2022 No. 364
The Scottish Tribunals (Listed Tribunals) Regulations 2022	2022 No. 287
The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Rules of Procedure) (Miscellaneous Amendment) Regulations 2022	2022 No. 162
The Social Security Appeals (Expenses and Allowances) (Scotland) Regulations 2018	2018 No. 275
The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018	2018 No. 351
The First-tier Tribunal for Scotland (Allocation of Functions to the Social Security Chamber) Regulations 2018	2018 No. 350
The First-tier Tribunal for Scotland Social Security Chamber (Rules of Procedure) Amendment Regulations 2018	2018 No. 343
The Social Security Appeals (Expenses and Allowances) (Scotland) Regulations 2018	2018 No. 275
The Upper Tribunal for Scotland (Social Security Rules of Procedure) Regulations 2018	2018 No. 274
The First-tier Tribunal for Scotland Social Security Chamber (Procedure) Regulations 2018	2018 No. 273
The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Allocation of Functions, Procedure and Composition) (Miscellaneous Amendments) Regulations 2020	2020 No. 476

The First-tier Tribunal for Scotland Social Security Chamber (Procedure and Composition) Amendment Regulations 2020	2020 No. 353
The First-tier Tribunal for Scotland Social Security Chamber (Procedure and Allocation of Functions) Amendment Regulations 2020	2020 No. 100
The Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 3) Regulations 2021	2021 No. 338 (C. 23)
The Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 6) Regulations 2022	2022 No. 146 (C. 8)

EU and other Nationals

The Social Security (Genuine and Sufficient Link to the United Kingdom) (Miscellaneous Amendment) (Scotland) Regulations 2024	2024 No. 241
The Social Security (Gibraltar) (Iceland) (Liechtenstein) (Norway) (Further provision in respect of Scotland) Order 2024	2024 No. 62
The Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023	2023 No. 309
The Social Security (Iceland) (Liechtenstein) (Norway) (Further provision in respect of Scotland) Order 2023	2023 No. 282
The Social Security (Switzerland) (Citizens' Rights Agreement) (Further provision in respect of Scotland) Order 2019	2019 No. 318
The Social Security (Iceland) (Liechtenstein) (Norway) (Citizens' Rights Agreement) (Further provision in respect of Scotland) Order 2019	2019 No. 317
The Social Security (Ireland) (Further provision in respect of Scotland) Order 2019	2019 No. 93
The Social Security Co-ordination (EU Exit) (Scotland) (Amendments etc.) Regulations 2020	2020 No. 399
The Social Security (Switzerland) (Further provision in respect of Scotland) Order 2021	2021 No. 345
The Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021	2021 No. 320

Sudan

The Social Security (Residence Requirements) (Sudan) (Scotland) Regulations 2023

2023 No. 149

Ukraine

The Council Tax Reduction and Council Tax (Discounts) (Miscellaneous Amendment) (Scotland) Regulations 2022	2022 No. 125
The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2022	2022 No. 124
The Social Security (Residence Requirements) (Ukraine) (Scotland) Regulations 2022	2022 No. 108

Equality

The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2024	2024 No. 176	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2024	2024 No. 175	Scottish Statutory Instruments
he Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2022	2022 No. 151	Scottish Statutory Instruments
The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2021	2021 No. 473	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2021	2021 No. 471	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2020	2020 No. 313	Scottish Statutory Instruments
The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2018	2018 No. 220	Scottish Statutory Instruments
The Equality Act 2010 (Authorities subject to the Socio- economic Inequality Duty) (Scotland) Regulations 2018	2018 No. 101	Scottish Statutory Instruments
The Equality Act 2010 (Commencement No. 13) (Scotland) Order 2017	2017 No. 403 (C. 30)	Scottish Statutory Instruments
The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016	2016 No. 159	Scottish Statutory Instruments
The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015	2015 No. 254	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2015	2015 No. 83	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2013	2013 No. 170	Scottish Statutory Instruments

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012	2012 No. 162	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2012	2012 No. 55	Scottish Statutory Instruments
The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2011	2011 No. 233	Scottish Statutory Instruments
Act of Sederunt (Sheriff Court Rules) (Equality Act 2010) 2010	2010 No. 340	Scottish Statutory Instruments
The Equality Act 2010 (Qualifications Body Regulator and Relevant Qualifications) (Scotland) Regulations 2010	2010 No. 315	Scottish Statutory Instruments
Act of Sederunt (Ordinary Cause, Summary Application, Summary Cause and Small Claim Rules) Amendment (Equality Act (Sexual Orientation) Regulations 2007) 2007	2007 No. 339	Scottish Statutory Instruments
Act of Sederunt (Ordinary Cause, Summary Application, Summary Cause and Small Claim Rules) Amendment (Equality Act 2006 etc.) 2006	2006 No. 509	Scottish Statutory Instruments

Poverty

he Winter Heating Assistance (Pension Age) (Scotland) Regulations 2024	2024 No. 351
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Early Expiry and Suspension of Provisions) Regulations 2023	2023 No. 8
The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 (Commencement No. 2) Regulations 2021	2021 No. 332 (C. 22)
The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 (Scottish Fuel Poverty Advisory Panel and Consequential Amendments) Regulations 2020	2020 No. 141
The Fuel Poverty (Additional Amount in respect of Remote Rural Area, Remote Small Town and Island Area) (Scotland) Regulations 2020	2020 No. 59
The Fuel Poverty (Enhanced Heating) (Scotland) Regulations 2020	2020 No. 58
The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 (Commencement No. 1) Regulations 2019	2019 No. 277 (C. 9)
The Public Services Reform (Poverty and Inequality Commission) (Scotland) Order 2018	2018 No. 316
The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Poverty and Inequality Commission and Scottish Commission on Social Security as Specified Authorities) Order 2018	2018 No. 313

Cost of Living

The Cost of Living (Tenant Protection) (Saving Provision) (Scotland) Regulations 2025	2025 No. 29
The Diligence against Earnings (Variation) (Scotland) Regulations 2024	2024 No. 293
The Rent Adjudication (Temporary Modifications) (Scotland) Regulations 2024	2024 No. 89
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Expiry of Section 10: Extension) Regulations 2024	2024 No. 88
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Saving Provisions) Regulations 2024	2024 No. 19
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Amendment of Expiry Date) Regulations 2023	2023 No. 275
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Incidental Provision) Regulations 2023	2023 No. 116
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Amendment of Expiry Dates and Rent Cap Modification) Regulations 2023	2023 No. 82
The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Early Expiry and Suspension of Provisions) Regulations 2023	2023 No. 8

Consumer protection

The Consumer Scotland Act 2020 (Relevant Public Authorities) Regulations 2024	2024 No. 78
The Consumer Scotland (Transfer of Functions) Regulations 2022	2022 No. 296
The Consumer Scotland (Designated Regulators) Regulations 2021	2021 No. 465
The Consumer Scotland Act 2020 (Commencement) Regulations 2021	2021 No. 464 (C. 33)
The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Consumer Scotland as Specified Authority) Order 2020	2020 No. 109
The Consumer Protection Act 1987 (Product Liability) (Modification) (Scotland) Order 2001	2001 No. 265

Miscellaneous

The Social Security Up-rating (Scotland) Order 2024	2024 No. 106
The Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2024	2024 No. 105
The Discretionary Financial Assistance (Scotland) Revocation Regulations 2024	2024 No. 58
The Social Security Information-sharing (Scotland) Amendment Regulations 2024	2024 No. 8
The Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2023	2023 No. 111
The Social Security Up-rating (Scotland) Order 2023	2023 No. 110
The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022	2022 No. 336
The Social Security (Up-rating) (Miscellaneous Amendment) (Scotland) Regulations 2022	2022 No. 129
The Social Security Up-rating (Scotland) Order 2022	2022 No. 128
The Social Security Information-sharing (Scotland) Amendment Regulations 2022	2022 No. 56
The Social Security Information-sharing (Scotland) Regulations 2021	2021 No. 178
The Social Security (Up-rating) (Miscellaneous Amendment) (Scotland) Regulations 2021	2021 No. 170

The Social Security Up-rating (Scotland) Order 2021	2021 No. 169
The Social Security Assistance (Investigation of Offences) (Scotland) Regulations 2020	2020 No. 11
The Social Security (Industrial Injuries Benefit and Personal Independence Payment) (Telephone and Video Assessment) (Miscellaneous Amendments) (Scotland) Regulations 2021	2021 No. 97
The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Poverty and Inequality Commission and Scottish Commission on Social Security as Specified Authorities) Order 2018	2018 No. 313

Correction slip

SSI 2022/52 - Correction Slip 1

UK Regulations relating to Social Security Scotland

The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Modifications) Order 2024	2024 No. 1048
The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order 2024	2024 No. 919
The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2024	2024 No. 282
The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023	2023 No. 1218
The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Modifications) Order 2023	2023 No. 1214
The Income Tax (Tax Treatment of Carer Support Payment and Exemption of Social Security Benefits) Regulations 2023	2023 No. 1148
The Scotland Act 2016 (Social Security) (Disability Living Allowance) (Amendment) Regulations 2023	2023 No. 664
The Scotland Act 2016 (Social Security) (Disability Living Allowance) (Amendment) Regulations 2023 The Social Security (Scotland) Act 2018 (Winter Heating Assistance) (Consequential Modifications) Order 2022	
The Social Security (Scotland) Act 2018 (Winter Heating Assistance) (Consequential Modifications)	664 2022 No.
The Social Security (Scotland) Act 2018 (Winter Heating Assistance) (Consequential Modifications) Order 2022 The Scotland Act 2016 (Social Security) (Adult Disability Payment and Child Disability Payment)	2022 No. 1018 2022 No.
The Social Security (Scotland) Act 2018 (Winter Heating Assistance) (Consequential Modifications) Order 2022 The Scotland Act 2016 (Social Security) (Adult Disability Payment and Child Disability Payment) (Amendment) Regulations 2022 The Social Security (Scotland) Act 2018 (Disability Assistance and Information-Sharing) (Consequential)	2022 No. 1018 2022 No. 335 2022 No.

The Social Security (Scotland) Act 2018 (Disability Assistance, Young Carer Grants, Short-term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2021	2021 No. 886
The Scotland Act 2016 (Social Security) (Consequential Provision) (Miscellaneous Amendment) Regulations 2021	2021 No. 804
The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021	2021 No. 786
The Social Security Contributions (Disregarded Payments) (Coronavirus) (Scotland and Wales) Regulations 2020	2020 No. 1532
The Social Security (Scotland) Act 2018 (Young Carer Grants, Short-Term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2020	2020 No. 989
The Social Security (Scotland) Act 2018 (Information-Sharing and Scottish Child Payment) (Consequential Provision and Modifications) Order 2020	2020 No. 482
The Social Security (Scotland) Act 2018 (Funeral Expense Assistance and Early Years Assistance) (Consequential Modifications and Savings) Order 2019	2019 No. 1060
The Social Security (Scotland) Act 2018 (Best Start Grants) (Consequential Modifications and Saving) Order 2018	2018 No. 1138
The Social Security (Scotland) Act 2018 (Consequential Modifications) Order 2018	2018 No. 872
The Rent Officers (Housing Benefit and Universal Credit Functions) (Modification) Order 2023	2023 No. 6

National Assistance

The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2025	2025 No. 31
The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2025	2025 No. 30
The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2024	2024 No. 100
The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2024	2024 No. 22
The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2024	2024 No. 21
The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023	2023 No. 67
The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2023	2023 No. 20
The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2023	2023 No. 19

Local Authority Administered Benefits Scottish Welfare Fund

The Welfare Funds (Scotland) Regulations 2016	2016 No. 107
The Welfare Funds (Scotland) Act 2015 (Commencement) Order 2015	2015 No. 428 (C. 56)

`Council Tax Reduction

The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2025	2025 No. 56
The Council Tax Reduction and Council Tax (Discounts) (Miscellaneous Amendment) (Scotland) Regulations 2025	2025 No. 55
The Council Tax Reduction (Miscellaneous Amendment) (Scotland) Regulations 2025	2025 No. 24
The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2024	2024 No. 310
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2024	2024 No. 230
The Council Tax Reduction (Scotland) Amendment Regulations 2024	2024 No. 35
The Council Tax (Dwellings and Part Residential Subjects) (Scotland) Amendment Regulations 2024	2024 No. 10
The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2023	2023 No. 268
The Council Tax (Discounts) (Scotland) Amendment (No. 2) Order 2023	2023 No. 141
The Council Tax Reduction (Scotland) Amendment Regulations 2023	2023 No. 113
The Council Tax Reduction and Council Tax (Discounts) (Miscellaneous Amendment) (Scotland) Regulations 2023	2023 No. 38
The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2023	2023 No. 36
The Council Tax (Discounts) (Scotland) Amendment Order 2023	2023 No. 25
The Council Tax (Exempt Dwellings) (Scotland) Amendment (No. 2) Order 2022	2022 No. 272

The Council Tax Reduction and Council Tax (Discounts) (Miscellaneous Amendment) (No. 2) (Scotland) Regulations 2022	2022 No. 271
The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2022	2022 No. 161
The Council Tax Reduction and Council Tax (Discounts) (Miscellaneous Amendment) (Scotland) Regulations 2022	<u>2022 No. 125</u>
The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2022	<u>2022 No. 124</u>
The Council Tax Reduction (Scotland) Amendment Regulations 2022	2022 No. 52
The Council Tax Reduction (Scotland) Amendment (No. 5) Regulations 2021	2021 No. 402
The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012	2012 No. 319
The Council Tax Reduction (Scotland) Regulations 2012	2012 No. 303
The Council Tax Reduction (Scotland) Amendment (No. 4) Regulations 2013	2013 No. 287
The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2013	2013 No. 239
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2013	2013 No. 218
The Council Tax (Information-sharing in relation to Council Tax Reduction) (Scotland) Regulations 2013	<u>2013 No. 87</u>

The Council Tax Reduction (State Pension Credit) (Scotland) Amendment Regulations 2013	<u>2013 No. 49</u>
The Council Tax Reduction (Scotland) Amendment Regulations 2013	<u>2013 No 48</u> .
The Council Tax Reduction (Scotland) Amendment Regulations 2014	<u>2014 No. 35</u>
The Council Tax Reduction (Scotland) Amendment Regulations 2015	<u>2015 No. 46</u>
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2016	2016 No. 253
The Council Tax Reduction (Scotland) Amendment Regulations 2016	2016 No. 81
The Council Tax Reduction (Scotland) Amendment (No. 2) Amendment Regulations 2017	2017 No. 357
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2017	2017 No. 326
The Council Tax Reduction (Scotland) Amendment Regulations 2017	2017 No. 41

The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2018	2018 No. 295
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2018	2018 No. 211
The Council Tax Reduction (Scotland) Amendment Regulations 2018	2018 No. 69
The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2019	2019 No. 325
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2019	2019 No. 133
The Council Tax Reduction (Scotland) Amendment Regulations 2019	2019 No. 29
The Council Tax Reduction (Scotland) Amendment (No. 4) Regulations 2020	2020 No. 413
The Council Tax Reduction (Scotland) Amendment (No. 3) (Coronavirus) Regulations 2020	2020 No. 108
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2020	2020 No. 64
The Council Tax Reduction (Scotland) Amendment Regulations 2020	
The Council Tax Reduction (Scotland) Amendment (No. 4) Regulations 2021	2021 No. 337

The Council Tax Reduction (Scotland) Regulations 2021	2021 No. 249
The Council Tax Reduction (Scotland) Amendment (No. 3) (Coronavirus) Regulations 2021	2021 No. 137
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2021	2021 No. 51
The Council Tax Reduction (Scotland) Amendment (Coronavirus) Regulations 2021	

Draft regulations 2025

Referred draft regulations to the Scottish commission on Social Security

The Winter Heating Assistance (Pension Age) (Scotland) Regulations 2024

View regulations

The Carer's Assistance (Young Carer Grant and Carer Support Payment)
(Miscellaneous Amendment and Saving Provision) (Scotland) Regulations
2025

View regulations

The Social Security (Best Start Grants, Best Start Foods, Funeral Support Payment, Scottish Child Payment and Winter Heating Payment)
(Miscellaneous Amendment) (Scotland) Regulations 2025

View regulations

The Social Security (Up-rating) (Miscellaneous Amendments) (Scotland)
Regulations 2025

View regulations

The Social Security (Cross-border Provision, Case Transfer and Miscellaneous Amendment) (Scotland) Regulations 2025

View regulations

Case Law

How to access Scottish Upper Tribunal case law.

If you visit the <u>Scottish courts and tribunals website</u> you will see on the secondary ribbon across the page a drop down box labelled <u>Judgments</u>. If you click on that box it will reveal a link that allows you **Search judgments**. Selecting this option will take you to a scrollable page which will allow you to search for all uploaded judgements.

To find the decision you need scroll down and you will find a series of filters, you can filter by court or tribunal or date, or key word. If you select Upper Tribunal- Social Security Chamber you will be presented by the full list of decisions or if you don't want to be bothered by all of that you can hopefully use this. Upper tribunal of Scotland Social Security Chamber links.

Case Title	Date of Decision	Date Published	Judge
J A against Social	21 February	24 February	Lady Carmichael
Security Scotland	2025	2025	
LK against Social	17 February	19 February	Lord Fairley
Security Scotland	2025	2025	
JG against Social	10 February	11 February	Lord Lake
Security Scotland	2025	2025	
LK against Social	24 January	27 January	Lord Fairley
Security Scotland	2025	2025	

CP against Social Security Scotland	24 January 2025	27 January 2025	Lord Fairley
SC against Social Security Scotland	24 January 2025	24 January 2025	Lord Fairley
EC against Social Security Scotland	17 December 2024	15 January 2025	Lady Poole
Social Security Scotland against GK	10 December 2024	12 December 2024	Lady Poole
Social Security Scotland against MW	04 December 2024	04 December 2024	Lord Young
Social Security Scotland against IR	25 November 2024	28 November 2024	Lady Poole
KW against Social Security Scotland	08 November 2024	11 November 2024	Lady Poole
DB against Social Security Scotland	29 April 2024	05 November 2024	Lady Carmichael

Social Security Scotland against AH and AS and SS and GA	30 October 2024	04 November 2024	Lady Carmichael
Social Security Scotland against DM	21 October 2024	24 October 2024	Lord Fairley
CC against Social Security Scotland	22 October 2024	22 October 2024	Lord Lake
Social Security Scotland against BM	14 October 2024	16 October 2024	Lady Poole
LF against Social Security Scotland	11 October 2024	15 October 2024	Lord Fairley
JJ against Social Security Scotland	11 October 2024	11 October 2024	Lord Young
Social Security Scotland against HK	01 October 2024	04 October 2024	Lord Lake
PY v SOCIAL SECURITY SCOTLAND	26 th August 2024	27 th August 2024	Lord Young
Social Security Scotland against AM	23 rd July 2024	26 th July 2024	Lord Fairley
SOCIAL SECURITY SCOTLAND AGAINST DM	21 May 2024	30 May 2024	Lord Fairley
SOCIAL SECURITY SCOTLAND AGAINST FK	17 April 2024	22 April 2024	Lady Poole
SOCIAL SECURITY SCOTLAND AGAINST AS	18 March 2024	25 March 2024	Lord Fairley

KB AGAINST SOCIAL SECURITY SCOTLAND	12 March 2024	14 March 2024	Lord Young
CD AGAINST SOCIAL SECURITY SCOTLAND	05 March 2024	08 March 2024	Lady Poole
AK AGAINST SOCIAL SECURITY SCOTLAND	12 February 2024	15 February 2024	Lady Poole
NB AGAINST SOCIAL SECURITY SCOTLAND	07 November 2023	13 November 2023	Lady Poole
DR against Social Security Scotland	23 March 2021	01 April 2021	Lady Carmichael

Benefit Delivery Agencies
Scottish Social Security

COSLA

Glasgow City Council

The Scottish Public Service ombudsman Scottish Public Service ombudsman case summaries

Miscellaneous

Scottish Commission on Social Security

unicef

Scottish Government consultation on Mitigating the two-child cap

Guidance

Scottish Discretionary Housing Payment Guidance Manual

The Chief Medical officer Guidance to terminal illness

REVISED GUIDANCE ON CHARGING FOR RESIDENTIAL ACCOMMODATION