

Changes to legislation: Social Security (Scotland) Act 2018, CHAPTER 2 is up to date with all changes known to be in force on or before 03 March 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 2 CARER'S ASSISTANCE REGULATIONS

PART 1

ELIGIBILITY

CHAPTER 2

FURTHER CRITERIA

Carer's other activities

- 3 The regulations may make an individual's eligibility depend on—
- (a) whether or not the individual is in—
 - (i) employment, or
 - (ii) education,
 - (b) the length of time the individual spends over a given period in—
 - (i) employment, or
 - (ii) education.

Commencement Information

- I1** Sch. 2 para. 3 in force at 14.10.2019 by [S.S.I. 2019/269](#), [reg. 3](#)

Multiple carers

- 4 The regulations may make an individual's eligibility depend on being the individual (or one of the individuals) selected through a process set out in the regulations in a case where more than one individual would otherwise be eligible as a result of providing care to the same cared-for person during a given period.

Commencement Information

- I2** Sch. 2 para. 4 in force at 14.10.2019 by [S.S.I. 2019/269](#), [reg. 3](#)

Residence and presence

- 5 The regulations may make an individual's eligibility depend on either or both—
- (a) the individual, and
 - (b) the cared-for person,
- being resident and present in a particular place.

Commencement Information

- I3** Sch. 2 para. 5 in force at 14.10.2019 by [S.S.I. 2019/269](#), [reg. 3](#)

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Age

- 6 The regulations may make an individual's eligibility depend on the age of either or both—
- (a) the individual, and
 - (b) the cared-for person.

Commencement Information

I4 Sch. 2 para. 6 in force at 14.10.2019 by [S.S.I. 2019/269](#), **reg. 3**

Financial circumstances

- 7 The regulations may make an individual's eligibility depend on the individual's financial circumstances.

Commencement Information

I5 Sch. 2 para. 7 in force at 14.10.2019 by [S.S.I. 2019/269](#), **reg. 3**

Receipt of, or eligibility for, other types of State assistance

- 8 The regulations may make an individual's eligibility depend on the individual—
- (a) being, or not being, in receipt of another type of assistance (whether under this Act or another enactment),
 - (b) being, or not being, eligible or entitled to receive such assistance.

Commencement Information

I6 Sch. 2 para. 8 in force at 14.10.2019 by [S.S.I. 2019/269](#), **reg. 3**

Application within specified period

- 9 The regulations may provide that an individual ceases to be eligible in respect of a given period unless, by a deadline specified in the regulations—
- (a) the individual has applied for carer's assistance in respect of the period, or
 - (b) the Scottish Ministers have become required to make a determination of the individual's entitlement to carer's assistance in respect of the period by regulations under section 52.

Commencement Information

I7 Sch. 2 para. 9 in force at 14.10.2019 by [S.S.I. 2019/269](#), **reg. 3**

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

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

- s. 81(4C) inserted by [2021 asp 20 s. 2\(a\)](#)
- s. 85D inserted by [2020 asp 18 s. 2\(6\)](#)