

## 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.

##### *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.

##### *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.

##### *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.

##### *Financial circumstances*

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

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*Status: This is the original version (as it was originally enacted).*

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*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.

*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.