
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends social security legislation as a consequence of section 81 of the Social Security (Scotland) Act 2018 ([asp 9](#)).

That section requires Scottish Ministers to pay a “carer’s allowance supplement” to qualifying individuals who, on dates to be determined by the Scottish Ministers, are both in receipt of “carer’s allowance” under section 70 of the Social Security Contributions and Benefits Act 1992 ([c. 4](#)) and resident in Scotland.

This Order provides for carer’s allowance supplement to be disregarded as income when determining a claimant’s entitlement to benefits under: the Income Support (General) Regulations 1987 ([S.I. 1987/1967](#)); the Jobseeker’s Allowance Regulations 1996 ([S.I. 1996/207](#)); the Housing Benefit Regulations 2006 ([S.I. 2006/213](#)); and the Employment and Support Allowance Regulations 2008 ([S.I. 2008/794](#)). In both the State Pension Credit Regulations 2002 ([S.I. 2002/1792](#)) and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 ([S.I. 2006/214](#)), the supplement is excluded from being a social security benefit which would otherwise be taken into account as income in determining entitlement to those benefits.

A full impact assessment has not been produced for this instrument as little or no impact on the private, voluntary or public sectors is foreseen.