

SCHEDULE 2

Pregnancy and baby grant

PART 1

Eligibility

Eligibility

1. An individual is eligible for a pregnancy and baby grant in respect of a child if—
 - (a) the individual’s application for the grant is made before the deadline set by paragraph 2 (see regulation 4 in relation to when an application is to be treated as made);
 - (b) no-one else has received, or is due to receive, a pregnancy and baby grant or sure start maternity grant in respect of the child (but see paragraph 3);
 - (c) on the day the application is made the individual satisfies the residence requirement set by paragraph 4;
 - (d) at least one of these statements is true on the day the application is made—
 - (i) the individual is the person who—
 - (aa) is, or has been, more than 24 weeks pregnant with the child; or
 - (bb) gave birth to the child before or during the 24th week of the pregnancy;
 - (ii) the individual is the partner of the person described by head (i);
 - (iii) the person described by head (i) is a dependant of the individual or the individual’s partner (or both of them);
 - (iv) either the individual or the individual’s partner is (or both of them are) responsible for the child on the day the application is made;
 - (e) at least one of these statements is true—
 - (i) the individual or the individual’s partner has (or both of them have) been awarded, for the day the application is made (or for a period which includes that day), assistance of a kind specified in regulation 11;
 - (ii) the individual or the individual’s partner has (or both of them have) been awarded universal credit for—
 - (aa) the assessment period that includes the day the application is made; or
 - (bb) the assessment period that ended immediately before the assessment period mentioned in sub-head (aa) started;
 - (iii) on the day the application is made the individual is under 18 years of age;
 - (iv) on the day the application is made the individual is—
 - (aa) 18 or 19 years of age; and
 - (bb) a dependant of another individual; and
 - (f) the child is not, on the day the application is made, living in a residential establishment as defined in section 202(1) of the Children’s Hearings (Scotland) Act 2011(1).

(1) 2011 asp 1. The definition of “residential establishment” in section 202 is amended by S.S.I. 2013/211.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018 No. 370