
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for an increase in various values of forms of assistance payable by virtue of regulations made under the Social Security (Scotland) Act 2018 and make other minor amendments. The Regulations come into force on 1 April 2021.

Regulation 2 increases the value of the three grants payable under the Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018 (the pregnancy and baby grant, the early learning grant, and the school age grant). Paragraph 1 of the schedule makes saving provision so that the previous values of these grants are still operative in certain circumstances.

Regulation 3 makes an amendment remedying a date within the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019 and also provides an increase in the value of the grant. Paragraph 2 of the schedule makes saving provision so that the previous value of this grant is still operative in certain circumstances.

Regulation 4 makes an amendment to the Funeral Expense Assistance (Scotland) Regulations 2019 removing a reference to a [Directive 2004/38/EC](#) which, prior to this amendment, was to be construed as forming part of domestic law. Regulation 4 also increases the value of various amounts within funeral expense assistance. Paragraph 3 of the schedule makes saving provision so that previous values of this assistance are still operative in certain circumstances.

Regulation 5 makes an amendment remedying a defect within the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020 by inserting a reference to Switzerland into a provision regarding habitual residence and removing a reference to the Swiss Confederation in another provision. It also increases the value of child winter heating assistance.

Regulation 6 makes an amendment remedying a defect within a provision of the Social Security Benefit (Dependency) Regulations 1977 relating to increases of carer's allowance for child dependants by adding references to "qualifying young person" and "qualifying young persons" to the terms of schedule 2 of those Regulations. This puts beyond doubt that child dependency increases paid with a carer's allowance can include an increase for a qualifying young person.

Regulation 7 and the schedule make saving provision.