
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

The Disability Assistance for Children and
Young People (Scotland) Regulations 2021

PART 6

Making of applications and payments and duration of eligibility

Form of payment – giving Child Disability Payment by way of deduction

27.—(1) Where an individual has a liability to the Scottish Ministers under section 63 of the 2018 Act (liability for assistance given in error), the individual's payment of Child Disability Payment may be given (in whole or in part) by way of deduction, at a reasonable level, from that liability either—

- (a) with the agreement of the individual, or
- (b) without the individual's agreement, where the individual has unreasonably refused to agree to the assistance being given in that form.

(2) For the purpose of paragraph (1), "reasonable level" means a level that is reasonable having regard to the financial circumstances of the individual.