
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2022 No.

The Disability Assistance for Working
Age People (Scotland) Regulations 2022

PART 6

Entitlement under rules relating to age

Age Criteria

- 22.**—(1) Adult Disability Payment may be paid in respect of an individual who—
- (a) is at least 16 years of age, and
 - (b) has not reached the relevant age.
- (2) In this Part, “the relevant age” means—
- (a) pensionable age (within the meaning given by the rules in paragraph 1 of schedule 4 to the Pensions Act 1995⁽¹⁾), or
 - (b) if higher, 65.
- (3) Where an individual was born on 29 February, their birthday is to be taken to fall on 28 February in a year which is not a leap year.
- (4) Paragraph (1)(b) is subject to the exceptions provided in regulations 23 and 24.

⁽¹⁾ 1995 c. 26. Paragraph 1 of schedule 4 was amended by paragraph 39 of schedule 2 of the State Pension Credit Act 2002 (c. 16), paragraph 13 of schedule 3 of the Welfare Reform Act 2007 (c. 5), paragraph 4 of schedule 3 of the Pensions Act 2007 (c. 22), section 1 of the Pensions Act 2011 (c. 19) and section 26 and paragraph 30 of schedule 12 of the Pensions Act 2014 (c. 19).