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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

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

PART 9

Making of applications and payments and duration of eligibility

**Ending a suspension**

- 42.** The Scottish Ministers are to make a decision to end a suspension where—
- (a) the individual provides the information requested under section 54(1) of the 2018 Act<sup>(1)</sup> and the Scottish Ministers consider that they do not require to make a determination without application,
  - (b) regulation 38(3)(a) applies and the Scottish Ministers make a determination without application under regulation 47 (consideration of entitlement after specified period), 48 (determination following change of circumstances, etc.), 49 (determination following official error – underpayments), 50 (determination following error – overpayments) or 51 (determination to effect a deduction decision),
  - (c) the Scottish Ministers make a determination under section 54(2) of the 2018 Act<sup>(2)</sup>,
  - (d) the circumstances mentioned in regulation 38(3)(b) no longer apply, or
  - (e) the Scottish Ministers consider it appropriate in the circumstances, including having regard to the financial circumstances of the individual.

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(1) Section 54(1) was amended by section 12(3)(a) of the Social Security Administration and Tribunal Membership (Scotland) Act 2020 ([asp 18](#)).

(2) Section 54(2) was amended by section 12(3)(c) of the Social Security Administration and Tribunal Membership (Scotland) Act 2020 ([asp 18](#)).