
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2022 No.

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

PART 20

Transitory provision

Exclusion to transitory provision

65.—(1) An individual who has made a claim for Personal Independence Payment prior to 21 March 2022 which has not yet been decided is not entitled to be paid Adult Disability Payment during the initial period for applications.

(2) In paragraph (1) a claim for Personal Independence Payment is decided if it has—

- (a) been decided by the Secretary of State under section 8 (decisions by Secretary of State) of the Social Security Act 1998(1),
- (b) been withdrawn in accordance with regulation 31 (withdrawal of claim) of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(2), or
- (c) otherwise is no longer to be decided by the Secretary of State as mentioned in subparagraph (a).

(1) 1998 c. 14. Section 8 was relevantly amended by paragraph 39 of schedule 9 and paragraph 1 of schedule 14 of the Welfare Reform Act 2012 (c. 5) and paragraph 22(3) of schedule 7 and paragraph 1 of schedule 10 of the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).

(2) S.I. 2013/380.