
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2022 No.

The Disability Assistance for Working Age
People (Transitional Provisions and Miscellaneous
Amendment) (Scotland) Regulations 2022

PART 2

Transfer to Adult Disability Payment

Effect of determination on entitlement to Disability Living Allowance

7.—(1) Where a transfer determination is made that the transferring individual is entitled to Adult Disability Payment, the transferring individual's entitlement to Disability Living Allowance will cease on—

- (a) the date their entitlement to Adult Disability Payment begins,
- (b) where a transferring individual was paid Disability Living Allowance one week in advance and 3 weekly in arrears, the date one week after the date their entitlement to Adult Disability Payment begins, or
- (c) where regulation 9 applies, the date their entitlement to Adult Disability Payment would have begun had regulation 9(2) not applied to set an earlier date of entitlement.

(2) Where paragraph (1)(b) applies—

- (a) section 71(7) (disability living allowance) of the Social Security Contributions and Benefits Act 1992(1), and
- (b) regulation 4(d) of the ADP Regulations (entitlement to other benefits),

do not apply in respect of the first week of entitlement to Adult Disability Payment.