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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2023 No.**

**The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023**

**PART 12**

Transitory provision

**Transitory provision – initial period for applications**

**46.**—(1) During the initial period for applications, in addition to satisfying the residence and presence conditions in regulations 6 to 11, an individual must be resident in one of the local authority areas specified in paragraph 2 of Part 1 of schedule 1 on the date their application is received by the Scottish Ministers.

(2) In this regulation and in Part 1 of schedule 1, “initial period for applications” means the period beginning with 19 November 2023 and ending with 30 September 2024.

**Exclusion to transitory provision**

**47.**—(1) An individual who has made a claim for Carer's Allowance prior to 19 November 2023 which has not yet been decided is not entitled to be paid Carer Support Payment during the initial period for applications.

(2) In paragraph (1) a claim for Carer's Allowance is decided if it has—

- (a) been decided by the Secretary of State under section 70 of the 1992 Act<sup>(1)</sup>,
- (b) been withdrawn in accordance with regulation 5(2) of the Social Security (Claims and Payments) Regulations 1987<sup>(2)</sup>, or
- (c) otherwise is no longer to be decided by the Secretary of State as mentioned in subparagraph (a).

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(1) 1992 c. 4, amended by S.S.I. 2021/174 and S.S.I. 2022/54.

(2) S.I. 1987/1968.