
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

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

PART 4

Making of applications and payments and duration of eligibility

Applications made within 13 weeks of a qualifying disability benefit decision

19.—(1) Where an individual makes an application for Carer Support Payment in respect of a cared for person within 13 weeks of a relevant qualifying disability benefit decision, the Scottish Ministers may determine that entitlement to Carer Support Payment begins on the first day of the award week in which, as a result of that relevant qualifying disability benefit decision, entitlement to that benefit begins, provided the individual satisfied the eligibility requirements set out in Part 3 of these Regulations on that date.

(2) Where the individual does not satisfy the eligibility requirements set out in Part 3 of these Regulations on the date on which the relevant qualifying disability benefit decision falls, the Scottish Ministers may determine that entitlement to Carer Support Payment begins on a later date, provided the individual satisfies those eligibility requirements on that later date.

(3) For the purposes of this regulation, “relevant qualifying disability benefit decision” means a decision—

- (a) made by the Secretary of State, the Scottish Ministers, or the Department for Communities in Northern Ireland—
 - (i) on a claim or an application, or
 - (ii) on revision, determination of entitlement, or supersession, or
- (b) on appeal whether by the First-tier Tribunal, the First-tier Tribunal for Scotland, the Upper Tribunal, the court, the Northern Ireland Appeal Tribunal or the Northern Ireland Social Security and Child Support Commissioner,
awarding a qualifying disability benefit to the cared for person mentioned in paragraph (1).