
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

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

PART 5

Suspensions

Ending a suspension

- 33.** 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⁽¹⁾ and the Scottish Ministers consider that they do not require to make a determination without application,
 - (b) regulation 29(3)(a) (circumstances in which assistance may be suspended) applies and the Scottish Ministers make a determination without application under regulation 35 (consideration of entitlement after specified period), 36 (determination following change of circumstances, etc.), 37 (determination following official error – underpayments), 38 (determination following error – overpayments) or 39 (determination to effect a deduction decision),
 - (c) the Scottish Ministers make a determination under section 54(2)⁽²⁾ of the 2018 Act,
 - (d) the circumstances mentioned in regulation 29(3)(b) (circumstances in which assistance may be suspended) no longer apply, or
 - (e) the Scottish Ministers consider it appropriate in the circumstances, including having regard to the financial circumstances of the individual.

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

⁽²⁾ Section 54(2) was amended by section 12(3)(c) of the 2020 Act.