
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

**The Disability Assistance for Older
People (Scotland) Regulations 2024**

PART 9

Making of applications and payments and duration of eligibility

Amount and form of Pension Age Disability Payment

26.—(1) The weekly rate of payment of Pension Age Disability Payment is, where the individual is entitled to—

- (a) the lower rate, £72.65, or
- (b) the higher rate, £108.55.

(2) Where an individual is entitled to payment of Pension Age Disability Payment for a period shorter than one week, payment is to be made at one-seventh of the relevant weekly rate, for each day of entitlement.

(3) For any week where an individual is entitled to—

- (a) Pension Age Disability Payment, and
- (b) payment of an amount in respect of constant attendance under section 104 of the Social Security Contributions and Benefits Act 1992⁽¹⁾, section 104 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽²⁾, or article 8 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 2006⁽³⁾,

the amount of Pension Age Disability Payment that is to be given to the individual is to be reduced by the amount paid under that section or article, as the case may be.

(4) For the purpose of calculating the amount of the Pension Age Disability Payment that is to be given to the individual, in accordance with paragraph (3), where the amount in respect of constant attendance is equal to or greater than the amount of Pension Age Disability Payment, the value of the Pension Age Disability Payment that is to be given to the individual is to be £0.

(5) Pension Age Disability Payment is only to be given in the form of money, except as provided for by regulation 36 (form of payment – giving Pension Age Disability Payment by way of deduction).

(1) 1992 c 4.
(2) 1992 c 7.
(3) S.I. 2006/606.