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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2024 No.**

The Disability Assistance for Older  
People (Scotland) Regulations 2024

PART 9

Making of applications and payments and duration of eligibility

**Ending a suspension**

- 34.** 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<sup>(1)</sup> and the Scottish Ministers consider that they do not require to make a determination without application,
  - (b) regulation 30(3)(a) applies and the Scottish Ministers make a determination without application under regulation 39 (consideration of entitlement after specified period), 40 (determination following change of circumstances etc.), 41 (determination following official error – underpayments), 42 (determination following error – overpayments) or 43 (determination to effect a deduction decision),
  - (c) the Scottish Ministers make a determination under section 54(2) of the 2018 Act<sup>(2)</sup>,
  - (d) the circumstances mentioned in regulation 30(3)(b) no longer apply, or
  - (e) the Scottish Ministers consider it appropriate in the circumstances, including having regard to the financial circumstances of the individual.

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(1) 2018 asp 9. Section 54(1A) was inserted by section 12(3)(b) of the Social Security Administration and Tribunal Membership (Scotland) Act 2020 (asp 18).

(2) Section 54(2) was amended by section 12(3)(c) of the Social Security Administration and Tribunal Membership (Scotland) Act 2020 (asp 18).