
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 31

**The Disability Assistance for Working Age People
(Consequential and Miscellaneous Amendment and
Transitional Provision) (Scotland) Regulations 2022**

**Amendment of the Disability Assistance for Children and Young People (Scotland)
Regulations 2021**

19.—(1) The Disability Assistance for Children and Young People (Scotland) Regulations 2021⁽¹⁾ are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2 (interpretation – general) after the definition of “the 2018 Act” insert—
““Adult Disability Payment” means disability assistance for adults given in accordance with the Disability Assistance for Working Age People (Scotland) Regulations 2022,”.

(3) In regulation 10 (entitlement to other benefits)—

(a) at the end of paragraph (b) omit “or”,

(b) after paragraph (c) insert—

“, or

(d) Adult Disability Payment”.

(4) In Part 1 of the schedule (short-term assistance)—

(a) for paragraph 1(2) (entitlement to short-term assistance) substitute—

“(2) An individual is not entitled to short-term assistance where the individual is no longer entitled to Child Disability Payment as a result of a subsequent determination made under—

(a) regulation 31(a) (determination following change of circumstances etc.) where the change of circumstances is that the individual—

(i) no longer meets the requirements of regulation 4 (age criteria), or

(ii) is entitled to Adult Disability Payment under a determination—

(aa) made pursuant to an application made by the individual in accordance with regulation 58 (applications by individuals entitled to Child Disability Payment), or

(bb) made without receiving an application in accordance with regulation 59 (determination without application – terminal illness),

of the Disability Assistance for Working Age People (Scotland) Regulations 2022⁽²⁾, or

(b) regulation 31(b).”.

(b) in paragraph 2(4) (value and form) after “Regulations” insert “25 (time of payment)”,.

(1) S.S.I. 2021/174, amended by S.S.I. 2021/416.

(2) S.S.I. 2022/54.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
