
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 258

**The Carer’s Assistance (Carer Support Payment)
(Consequential and Miscellaneous Amendments and
Transitional Provision) (Scotland) Regulations 2023**

Transitional provision – extinguishment of right to apply for Carer’s Allowance

9.—(1) No person may claim carer’s allowance under section 70 of the Social Security Contributions and Benefits Act 1992⁽¹⁾ who—

- (a) during the initial period for applications for carer support payment, is resident in the local authority area of Perthshire and Kinross, City of Dundee or Western Isles, or
- (b) after the expiry of the initial period for applications—
 - (i) is resident in Scotland, or
 - (ii) is a person to whom regulation 6(3) (residence and presence conditions), regulation 8 (serving members of His Majesty’s forces, civil servants and their family members) or regulation 11 (persons residing outside the United Kingdom to whom a relevant EU regulation applies) of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023 applies.

(2) In this regulation—

“carer support payment” means carer’s assistance payable under the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023⁽²⁾,

“carer’s allowance” means assistance payable under the Social Security Contributions and Benefits Act 1992, and

“initial period for applications” means the period referred to in regulation 46 (transitory provision – initial period for applications) of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023, beginning with 19 November 2023 and ending with 30 September 2024.

(1) 1992 c. 4. Section 70 was amended by S.I. 1994/2556, S.I. 2002/1457, S.I. 2011/2426, S.I. 2013/388, S.I. 2013/796, S.I. 2015/1754, S.I. 2021/1301, S.S.I. 2022/54, S.S.I. 2021/174 and S.S.I. 2022/332.
(2) S.S.I. 2023/302.