
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for an increase in various values and amounts of forms of assistance payable by virtue of regulations made under the Social Security (Scotland) Act 2018 and make amendments to the Social Security (Invalid Care Allowance) Regulations 1976, and the Welfare Foods (Best Start Foods) (Scotland) Regulations 2019. The Regulations come into force on 1 April 2024 with the exception of regulations 2, 3 and 8, which come into force on 8 April 2024 and regulation 7 which comes into force on 7 April 2024.

Regulation 2 increases the amount of Adult Disability Payment payable under the Disability Assistance for Working Age People (Scotland) Regulations 2022. Paragraph 1 of the schedule makes saving provision so that the previous amount of this assistance is still payable in certain circumstances.

Regulation 3 increases the amount of a transitional rate of Adult Disability Payment payable under the Disability Assistance for Working Age People (Transitional Provisions and Miscellaneous Amendment) (Scotland) Regulations 2022. Paragraph 2 of the schedule makes saving provision so that the previous amount of this assistance is still payable in certain circumstances.

Regulation 4 increases the value of the basic rate of Best Start Foods benefit under the Welfare Foods (Best Start Foods) (Scotland) Regulations 2019. Paragraph 3 of the schedule make transitional provision so that the previous values of this assistance are still payable in certain circumstances.

Regulation 5 increases the amount of the pregnancy and baby grant payable under the Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018. Regulation 5 also increases the value of the early learning grant and the school-age grant, payable under those Regulations. Paragraph 4 of the schedule makes saving provision so that the previous values or amount of this assistance are still payable in certain circumstances.

Regulation 6 amends regulation 8 of the Social Security (Invalid Care Allowance) Regulations 1976 (“the 1976 Regulations”) to increase the amount that a person eligible for payment of carer’s allowance from the Scottish Ministers can earn in a given week without being deemed to be gainfully employed and, therefore, losing their entitlement to carer’s allowance. The Social Security Amendment (Carer’s Allowance) Regulations 2002 replaces references to “Invalid Care Allowance” with references to “Carer’s Allowance” in certain legislative provisions, but “Invalid Care Allowance” remains part of the title of the 1976 Regulations for statutory purposes.

Regulation 7 amends regulation 14 of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023 (the Carer Support Payment Regulations) to increase the earnings limit for payment of carer support payment. Regulation 7 also increases the amount of carer support payment payable under regulation 16 of the Carer Support Payment Regulations. Paragraph 5 of the schedule makes saving provision so that the previous amount of this assistance is still payable in certain circumstances.

Regulation 8 increases the amount of Child Disability Payment payable under the Disability Assistance for Children and Young People (Scotland) Regulations 2021. Paragraph 6 of the schedule makes saving provision so that the previous amount of this assistance is still payable in certain circumstances.

Regulation 9 increases the value of child winter heating payment payable under the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020. Paragraph 7 of the schedule

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Regulation 10 increases the amounts of funeral expense assistance payable under the Funeral Expense Assistance (Scotland) Regulations 2019. Paragraph 8 of the schedule makes saving provision so that the previous amounts of this assistance are still payable in certain circumstances.

Regulation 11 increases the value of Scottish Child Payment payable under the Scottish Child Payment Regulations 2020. Paragraph 9 of the schedule makes saving provision so that the previous value of this assistance is still payable in certain circumstances.

Regulation 12 increases the value of winter heating payment payable under the Winter Heating Assistance (Low Income) (Scotland) Regulations 2023. Paragraph 10 of the schedule makes saving provision so that the previous value of this assistance is still payable in certain circumstances.

Regulation 13 increases the amount of Young Carer Grant payable under the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019. Paragraph 11 of the schedule makes saving provision so that the previous value of this grant is still payable in certain circumstances.