

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe two descriptions of person to whom section 6 of the Children (Leaving Care) Act 2000 applies in Scotland. Persons to whom section 6 applies are not entitled to income-based jobseekers' allowance, income support or housing benefit (“the relevant benefits”).

The first description (in paragraph (2) of regulation 2) corresponds to the category of person to whom local authorities in Scotland are obliged to provide regular financial support in terms of the Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003 (SSI2003/608, regulation 13). This category includes 16 and 17 year old care-leavers who are receiving financial support from a local authority in Scotland. Such care-leavers are not entitled to the relevant benefits.

The second description (in paragraph (3) of regulation 2) corresponds to the category of person described in paragraph (2) and who are also lone parents or sick or disabled. Such persons are not entitled to housing benefit but will continue to be entitled to the other relevant benefits.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.