
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018

PART 2

Interpretation

Expressions about time and timing

When an application is to be treated as made

4.—(1) An application is to be treated as made—

- (a) on the day it is received by the Scottish Ministers; or
- (b) if applicable, on—
 - (i) the day chosen by the Scottish Ministers in accordance with paragraph (3); or
 - (ii) the day the applicant nominates (or is deemed to have nominated) under regulation 5.

(2) In a case where a determination is to be, or has been, made without an application (see Part 2 of schedule 1) references in these Regulations to the day the application is made are to be read as references to the day the determination is made.

(3) If, before making a determination on the basis of an application, the Scottish Ministers consider that the applicant—

- (a) would not be eligible for the assistance applied for if the application were treated as made on the day they received it; and
- (b) would be eligible for the assistance if the application were treated as made on a day falling within the period of 10 days beginning with the day they received it,

the Scottish Ministers may choose the day within that 10 day period on which the application is to be treated as made.

(4) For the avoidance of doubt, a thing that purports to be an application is not an application unless it is—

- (a) made in the form; and
- (b) accompanied by the evidence,

required under section 38 of the Social Security (Scotland) Act 2018.