
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

**The Winter Heating Assistance for Children
and Young People (Scotland) Regulations 2020**

Periods for re-determination requests

9.—(1) The period for requesting a re-determination of entitlement to child winter heating assistance under section 41 of the 2018 Act⁽¹⁾ is 42 days beginning with the day that the individual is informed, in accordance with section 40 of that Act, of the right to make the request.

(2) In relation to determining entitlement to child winter heating assistance, the period allowed for re-determination (within the meaning of section 43 of that Act⁽²⁾) is 16 working days beginning with—

- (a) the day that the request for a re-determination is received by the Scottish Ministers, or
- (b) where the request for a re-determination is received by the Scottish Ministers later than the period prescribed by paragraph (1), the day on which the Scottish Ministers, or, on appeal, the First-tier Tribunal for Scotland, decide that the individual has a good reason for not requesting the re-determination sooner.

(3) For the purpose of paragraph (2), a “working day” is a day other than—

- (a) a Saturday,
- (b) a Sunday, or
- (c) a bank holiday in Scotland under the Banking and Financial Dealings Act 1971⁽³⁾.

(1) Section 41 was amended by paragraph 2 of schedule 7 of the Coronavirus (Scotland) Act 2020 ([asp 7](#)) (“the 2020 Act”). Paragraph 4 of that schedule inserted section 52A into the Social Security (Scotland) Act 2018 ([asp 9](#)) which relaxed the deadlines for re-determinations and appeals to address the effects of coronavirus.

(2) Section 43 was amended by paragraph 5 of schedule 7 of the 2020 Act.

(3) [1971 c.80](#).