
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

The Carer's Allowance Supplement and Young Carer Grants (Residence Requirements and Procedural Provisions) (EU Exit) (Scotland) Regulations 2020

PART 2

Carer's allowance supplement for individuals resident outside Scotland

Determination of entitlement to a carer's allowance supplement for individuals resident outside Scotland

5.—(1) The Scottish Ministers are to make a determination of an individual's entitlement to a carer's allowance supplement for the purposes of section 81(2A) of the 2018 Act—

- (a) on receiving an application from the individual, or
- (b) when required to do so by regulation 7, 8 or 9, without receiving an application.

(2) A determination may be made under paragraph (1) in respect of any qualifying date before or after the coming into force of these Regulations.

(3) Paragraph (4) applies where there is a subsequent determination of an individual's entitlement to a carer's allowance supplement in respect of a qualifying date.

(4) Where this paragraph applies—

- (a) the latest determination supersedes any earlier determination insofar as it deals with the individual's entitlement to a carer's allowance supplement in respect of the same qualifying date, and
- (b) the individual is not entitled, and is not to become entitled, to a carer's allowance supplement in respect of that qualifying date by the earlier determination.