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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2023 No.**

**The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023**

**PART 4**

**Making of applications and payments and duration of eligibility**

**Entitlement beginning before the commencement of these Regulations**

**20.** Where the Scottish Ministers make a determination under regulation 19 (applications made within 13 weeks of a qualifying disability benefit decision) the effect of which is that an individual's entitlement to Carer Support Payment would begin on a date before the commencement of these Regulations—

- (a) the individual is treated as having made a claim for Carer's Allowance under section 70 of the 1992 Act for the period starting with that date and ending on the day before the date of commencement of these Regulations,
- (b) the determination is to be made on the assumption that the individual satisfied the eligibility requirements in section 70 of the 1992 Act, read with the Social Security (Invalid Care Allowance) Regulations 1976(1) for that period, and
- (c) any payments of Carer Support Payment made in respect of that period are to be treated as though they were payments of Carer's Allowance.