
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

**The Disability Assistance for Older
People (Scotland) Regulations 2024**

PART 1

Disability assistance for older people

Overview

3.—(1) An individual is entitled to Pension Age Disability Payment in accordance with these Regulations if the individual meets the eligibility rules in—

- (a) regulation 4 (entitlement to other benefits),
- (b) regulations 9 to 16 (residence and presence conditions),
- (c) regulation 17 (age criteria), and
- (d) one or more of the following—
 - (i) regulation 5 (eligibility criteria: daytime and night-time condition and required period),
 - (ii) regulation 7 (entitlement to Pension Age Disability Payment when undergoing renal dialysis),
 - (iii) regulation 18 (entitlement under special rules for terminal illness).

(2) There are 2 weekly rates of Pension Age Disability Payment and those rates are specified in regulation 26 (amount and form of Pension Age Disability Payment).

Entitlement to other benefits

- 4.** An individual is not entitled to Pension Age Disability Payment while they are entitled to—
- (a) Adult Disability Payment,
 - (b) armed forces independence payment,
 - (c) Attendance Allowance,
 - (d) Disability Living Allowance, or
 - (e) Personal Independence Payment.