

2018 No. 29

SOCIAL CARE

**The Self-directed Support (Direct Payments) (Scotland)
Amendment Regulations 2018**

Made - - - - - *31st January 2018*

Laid before the Scottish Parliament *2nd February 2018*

Coming into force - - - *1st April 2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 15 and 22(1) of the Social Care (Self-directed Support) (Scotland) Act 2013(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Self-directed Support (Direct Payments) (Scotland) Amendment Regulations 2018 and come into force on 1st April 2018.

Amendment of the Self-directed Support (Direct Payments) (Scotland) Regulations 2014

2.—(1) The Self-directed Support (Direct Payments) (Scotland) Regulations 2014(b) are amended as follows:—

- (a) in regulation 3A(2)(a) for the words “3(4) of the Act” substitute “24 of the Carers (Scotland) Act 2016”(c); and
- (b) regulation 3A(2)(b) is revoked.

AILEEN CAMPBELL

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
31st January 2018

(a) 2013 asp 1.
(b) S.S.I. 2014/25 as relevantly amended by S.S.I. 2014/65.
(c) 2016 asp 9.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Self-directed Support (Direct Payments) (Scotland) Regulations 2014 (“the principal Regulations”) which make provision about direct payments under the Social Care (Self-directed Support) (Scotland) Act 2013.

Regulation 2 amends the principal Regulations so that a local authority may not carry out a means test or require a direct payment user to make a contribution where the direct payment relates to support to a carer under section 24 of the Carers (Scotland) Act 2016. “Carer” for the purposes of the Carers (Scotland) Act 2016 includes both adult carers and young carers, within the meaning of that Act.

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