

SCHEDULE 2

Regulation 3(3)

Pregnancy and baby grant

PART 1

Eligibility

Eligibility

1. An individual is eligible for a pregnancy and baby grant in respect of a child if—
 - (a) the individual's application for the grant is made before the deadline set by paragraph 2 (see regulation 4 in relation to when an application is to be treated as made);
 - [^{F1}(aa) the individual has not received, and is not due to receive, a sure start maternity grant in respect of the child,]
 - (b) no-one else has received, or is due to receive, a pregnancy and baby grant or sure start maternity grant in respect of the child (but see paragraph 3);
 - (c) on the day the application is made the individual satisfies the residence requirement set by paragraph 4;
 - (d) at least one of these statements is true on the day the application is made—
 - (i) the individual is the person who—
 - (aa) is, or has been, more than 24 weeks pregnant with the child; or
 - (bb) gave birth to the child before or during the 24th week of the pregnancy;
 - (ii) the individual is the partner of the person described by head (i);
 - (iii) the person described by head (i) is a dependant of the individual or the individual's partner (or both of them);
 - (iv) either the individual or the individual's partner is (or both of them are) responsible for the child on the day the application is made; [^{F2}and]
 - (e) at least one of these statements is true—
 - (i) the individual or the individual's partner has (or both of them have) been awarded, for the day the application is made (or for a period which includes that day), assistance of a kind specified in regulation 11;
 - (ii) the individual or the individual's partner has (or both of them have) been awarded universal credit for—
 - (aa) the assessment period that includes the day the application is made; or
 - (bb) the assessment period that ended immediately before the assessment period mentioned in sub-head (aa) started;
 - (iii) on the day the application is made the individual is under 18 years of age;
 - (iv) on the day the application is made the individual is—
 - (aa) 18 or 19 years of age; and
 - (bb) a dependant of another individual; ^{F3}...

^{F4}(f)

Changes to legislation: There are currently no known outstanding effects for the The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018, SCHEDULE 2. (See end of Document for details)

Textual Amendments	
F1	Sch. 2 para. 1(aa) inserted (21.3.2019) by The Early Years Assistance (Best Start Grants) (Scotland) Amendment (No. 1) Regulations 2019 (S.S.I. 2019/110), regs. 2, 9(2)
F2	Word in sch. 2 para. 1(d)(iv) inserted (14.11.2022) by The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), 2(4)(a)(i)
F3	Word in sch. 2 para. 1(e)(iv)(bb) omitted (14.11.2022) by virtue of The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), 2(4)(a)(ii)
F4	Sch. 2 para. 1(f) omitted (14.11.2022) by virtue of The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), 2(4)(a)(iii)

Deadline for applying

2.—(1) The deadline for an individual to apply for a pregnancy and baby grant in respect of a child is—

- (a) the end of the day that falls 6 months after the day the child is born if sub-paragraph (2) applies to the individual;
- (b) the end of the day before the child's first birthday if sub-paragraph (2) does not apply to the individual.

(2) This sub-paragraph applies to—

- (a) the person who is, or has been, pregnant with the child; and
- (b) any individual who is, or has been during the period described by sub-paragraph (3)—
 - (i) the partner of the person referred to in paragraph (a); or
 - (ii) an individual, or the partner of an individual, for whom the person referred to in paragraph (a) is a dependant.

(3) The period referred to in sub-paragraph (2)(b)—

- (i) begins on the first day of the 24th week of the pregnancy that resulted, or is to result, in the child's birth; and
- (ii) ends at the end of the day that falls 6 months after the day the child is born.

Exception to paragraph 1(b)

3.—(1) For the purpose of determining the entitlement of the individual referred to in this paragraph as the applicant, the eligibility condition in paragraph 1(b) is to be ignored in the circumstance described by sub-paragraphs (2) to (5).

(2) An individual (“the first grant recipient”) has been, or is due to be, given in respect of the child—

- (a) a pregnancy and baby grant; or
- (b) a sure start maternity grant.

(3) Another individual (“the applicant”) [^{F5}is] responsible for the child [^{F6}.]

^{F7}(a)

^{F7}(b)

(4) [^{F8}Since the first grant recipient applied for a pregnancy and baby grant or a sure start maternity grant in respect of the child ^{F9}...] the applicant has not been—

- (a) the partner of the first grant recipient;
- (b) a dependant of the first grant recipient; or
- (c) an individual, or the partner of an individual, for whom the first grant recipient is a dependant.

[^{F10}(4A) On the day the applicant's application for a pregnancy and baby grant in respect of the child is made, the child does not normally live with the first grant recipient.]

(5) On the day the applicant's application for a pregnancy and baby grant in respect of the child is made, no-one other than the first grant recipient has been, or is due to be, given a pregnancy and baby grant or a sure start maternity grant in respect of that child.

Textual Amendments

- F5** Word in sch. 2 para. 3(3) substituted (23.12.2021) by [The Best Start Grants and Scottish Child Payment \(Miscellaneous Amendments\) Regulations 2021 \(S.S.I. 2021/494\)](#), regs. 1(1), **3(2)(a)**
- F6** Full stop in sch. 2 para. 3(3) substituted for word (23.12.2021) by [The Best Start Grants and Scottish Child Payment \(Miscellaneous Amendments\) Regulations 2021 \(S.S.I. 2021/494\)](#), regs. 1(1), **3(2)(b)**
- F7** Sch. 2 para. 3(3)(a)(b) omitted (23.12.2021) by virtue of [The Best Start Grants and Scottish Child Payment \(Miscellaneous Amendments\) Regulations 2021 \(S.S.I. 2021/494\)](#), regs. 1(1), **3(2)(c)**
- F8** Words in sch. 2 para. 3(4) substituted (21.3.2019) by [The Early Years Assistance \(Best Start Grants\) \(Scotland\) Amendment \(No. 1\) Regulations 2019 \(S.S.I. 2019/110\)](#), regs. 2, **9(3)**
- F9** Words in sch. 2 para. 3(4) omitted (23.12.2021) by virtue of [The Best Start Grants and Scottish Child Payment \(Miscellaneous Amendments\) Regulations 2021 \(S.S.I. 2021/494\)](#), regs. 1(1), **3(3)**
- F10** Sch. 2 para. 3(4A) inserted (21.3.2019) by [The Early Years Assistance \(Best Start Grants\) \(Scotland\) Amendment \(No. 1\) Regulations 2019 \(S.S.I. 2019/110\)](#), regs. 2, **9(4)**

Residence requirement

4.—(1) The residence requirement referred to in paragraph 1(c) is satisfied by an individual on a day if, on that day—

- (a) the individual is ordinarily resident in Scotland; and
- (b) in a case where neither the individual nor the individual's partner has been awarded assistance as mentioned in paragraph 1(e)(i) or (ii), the condition set by sub-paragraph (2) is also met.

(2) The condition referred to in sub-paragraph (1)(b) is met on any day that the individual is—

- (a) habitually resident in the [^{F11}United Kingdom, the Channel Islands [^{F12}or the Isle of Man];]

[^{F13}(aa) a person who, or has a partner who, is habitually resident in the European Economic Area or Switzerland and—

- (i) is a qualified person within the meaning of regulation 6(1)(a) (jobseeker), (b) (worker), (c) (self-employed person), (d) (self-sufficient person) or (e) (student) of the Immigration (European Economic Area) Regulations 2016 (the EEA Regulations);
- (ii) retains the status referred to in sub-head (i) pursuant to regulation 6(2) or (4) of the EEA Regulations;
- (iii) is a family member of a person referred to in sub-head (i) or (ii) within the meaning of regulation 7(1) of the EEA Regulations;
- (iv) has a right to reside permanently in the United Kingdom by virtue of regulation 15(1) of the EEA Regulations; or

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- (v) has been granted indefinite or limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of Appendix EU to the immigration rules made under section 3(2) of that Act];
- [^{F14}(ab) a person who—
- (i) [^{F15}has] leave to enter or remain in the United Kingdom granted under the immigration rules made under section 3(2) of the Immigration Act 1971, by virtue of—
 - (ia) the Afghan Relocations and Assistance Policy, or
 - (ib) the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme),
 - (ii) has been granted discretionary leave outside the immigration rules as a dependant of a person referred to in sub-head (i), or
 - (iii) has leave granted under the Afghan Citizens Resettlement Scheme];
- [^{F16}(ac) a person who was residing in Ukraine immediately before 1 January 2022, left Ukraine in connection with the Russian invasion which took place on 24 February 2022 and—
- (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971, ^{F17}...
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act [^{F18}, or]
 - [does not require leave to enter or remain in the United Kingdom in accordance with ^{F19}(iii) section 3ZA of that Act,]]
- [^{F20}(ad) a person who was residing in Sudan before 15 April 2023, left Sudan in connection with the violence which rapidly escalated on 15 April 2023 in Khartoum and across Sudan and—
- (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act]
- [^{F21}(ae) a person in Great Britain who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7 October 2023, left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7 October 2023 or the violence which rapidly escalated in the region following the attack and—
- (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act,]
- (b) a refugee within the definition in Article 1 of the Convention relating to the status of refugees done at Geneva on 28th July 1951, as extended by article 1(2) of the Protocol relating to the status of refugees done at New York on 31st January 1967;
- (c) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971 ^{M1}, ^{F22}...

- (d) a person who has humanitarian protection granted under the rules made under section 3(2) of the Immigration Act 1971; or
- (e) a person who—
 - (i) is not subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 ^{M2}; and
 - (ii) is in the United Kingdom as a result of deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom.

[^{F23}(3) In this paragraph, “the Afghan Citizens Resettlement Scheme” means the scheme announced by the United Kingdom Government on 18 August 2021.]

Textual Amendments

- F11** Words in sch. 2 para. 4(2)(a) inserted (21.3.2019) by The Early Years Assistance (Best Start Grants) (Scotland) Amendment (No. 1) Regulations 2019 (S.S.I. 2019/110), regs. 2, **9(5)**
- F12** Words in sch. 2 para. 4(2)(a) substituted (31.12.2020) by The Social Security Co-ordination (EU Exit) (Scotland) (Amendments etc.) Regulations 2020 (S.S.I. 2020/399), regs. 1, **3(2)(a)**
- F13** Sch. 2 para. 4(2)(aa) inserted (31.12.2020) by The Social Security Co-ordination (EU Exit) (Scotland) (Amendments etc.) Regulations 2020 (S.S.I. 2020/399), regs. 1, **3(2)(b)**
- F14** Sch. 2 para. 4(2)(ab) inserted (15.9.2021) by virtue of The Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021 (S.S.I. 2021/320), regs. 1(1), **3(2)(a)**
- F15** Word in sch. 2 para. 4(2)(ab)(i) inserted (14.11.2022) by The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), **2(4)(b)(i)**
- F16** Sch. 2 para. 4(2)(ac) inserted (22.3.2022 at 5.40 p.m.) by The Social Security (Residence Requirements) (Ukraine) (Scotland) Regulations 2022 (S.S.I. 2022/108), regs. 1(1), **4(2)(a)**
- F17** Word in sch. 2 para. 4(2)(ac)(i) omitted (14.11.2022) by virtue of The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), **2(4)(b)(ii)**
- F18** Word in sch. 2 para. 4(2)(ac)(ii) substituted (14.11.2022) by The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), **2(4)(b)(iii)**
- F19** Sch. 2 para. 4(2)(ac)(iii) inserted (14.11.2022) by The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/336), regs. 1(1), **2(4)(b)(iv)**
- F20** Sch. 2 para. 4(2)(ad) inserted (17.5.2023 at 5.54 p.m.) by The Social Security (Residence Requirements) (Sudan) (Scotland) Regulations 2023 (S.S.I. 2023/149), regs. 1(1), **4(2)**
- F21** Sch. 2 para. 4(2)(ae) inserted (26.10.2023 at 5.38 p.m.) by The Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023 (S.S.I. 2023/309), regs. 1(2), **4(2)**
- F22** Words in sch. 2 para. 4(2)(c) omitted (22.3.2022 at 5.40 p.m.) by virtue of The Social Security (Residence Requirements) (Ukraine) (Scotland) Regulations 2022 (S.S.I. 2022/108), regs. 1(1), **4(2)(b)**
- F23** Sch. 2 para. 4(3) inserted (15.9.2021) by The Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021 (S.S.I. 2021/320), regs. 1(1), **3(2)(b)**

Marginal Citations

- M1** 1971 c.77.
- M2** 1999 c.33.

PART 2

Assistance to be given

Value of grant

5. The value of a pregnancy and baby grant is—
- (a) the basic amount determined in accordance with paragraph 6; and
 - (b) any amount that falls to be added to the basic amount by way of a multiple pregnancy supplement (see paragraph 7).

The basic amount

- 6.—(1) The basic amount is—
- (a) [^{F24}£754.65] if sub-paragraph (2) applies in relation to the child in respect of whom the grant is to be given; or
 - (b) [^{F25}£377.35] if it does not.
- (2) This sub-paragraph applies in relation to the child (subject to sub-paragraph (3)) if, on the day the application for the grant is made—
- (a) there is no-one under 16 years of age living in the same household as the individual to whom the grant is to be given; or
 - (b) if there is, that person is (or all of those persons are) one of the following:—
 - (i) the child;
 - (ii) a sibling of the child born as a result of the same pregnancy that resulted in the child's birth;
 - (iii) a parent of the child;
 - (iv) a sibling of a parent of the child;
 - [^{F26}(v) a child for whom neither the individual nor their partner is responsible,]
 - [^{F27}(vi) a child in any one of the circumstances described in sub-paragraph (4), (5) or (6)]
- (3) Where more than one child is born, or is to be born, as a result of the same pregnancy—
- (a) sub-paragraph (2) applies in relation to only one of the children; and
 - (b) it is for the Scottish Ministers to decide which.
- [^{F28}(4) The circumstance referred to in sub-paragraph (2)(b)(vi) is that—
- (a) the child mentioned in sub-paragraph (2)(b)(vi) was, at the time of that child's birth, not a child of the—
 - (i) individual to whom the grant is to be given, or
 - (ii) individual's partner (where the individual has a partner on the day the application is made), and
 - (b) the individual first became responsible for the child mentioned in sub-paragraph (2)(b)(vi) when that child was aged 12 months or older.
- (5) The circumstance referred to in sub-paragraph (2)(b)(vi) is that the individual to whom the grant is to be given has left their home with the child mentioned in sub-paragraph (2)(b)(vi) due to domestic abuse.
- (6) The circumstance referred to in sub-paragraph (2)(b)(vi) is that—

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- (a) the child mentioned in sub-paragraph (2)(b)(vi) was born before the individual to whom the grant is to be given arrived in the United Kingdom, and
- (b) the individual to whom the grant is to be given is one of the following—
 - (i) a person who has leave to enter or remain in the United Kingdom granted under the immigration rules made under section 3(2) of the Immigration Act 1971 (“the 1971 Act”) by virtue of—
 - (aa) the Afghan Relocations and Assistance Policy, or
 - (bb) the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme),
 - (ii) a person who has been granted discretionary leave outside the immigration rules as a dependant of a person referred to in sub-head (i),
 - (iii) a person who has leave granted under the Afghan Citizens Resettlement Scheme,
 - (iv) a person with leave to enter or remain in the United Kingdom granted under or outside the immigration rules made under section 3(2) of the 1971 Act, or with a right of abode in the United Kingdom within the meaning of section 2 of that Act or who does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of the Act, where the person—
 - (aa) was residing in Ukraine immediately before 1 January 2022, and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24 February 2022,
 - (v) a refugee within the definition in Article 1 of the Convention relating to the status of refugees done at Geneva on 28 July 1951, as extended by article 1(2) of the Protocol relating to the status of refugees done at New York on 31 January 1967, or
 - (vi) a person who has humanitarian protection granted under the rules made under section 3(2) of the 1971 Act.

(7) In paragraph (6) “the Afghan Citizens Resettlement Scheme” has the same meaning as in paragraph 4.]

Textual Amendments

- F24** Sum in sch. 2 para. 6(1)(a) substituted (1.4.2024) by [The Social Security \(Up-rating\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2024 \(S.S.I. 2024/105\)](#), regs. 1(2), **5(2)(a)(i)** (with Sch. para. 4)
- F25** Sum in sch. 2 para. 6(1)(b) substituted (1.4.2024) by [The Social Security \(Up-rating\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2024 \(S.S.I. 2024/105\)](#), regs. 1(2), **5(2)(a)(ii)** (with Sch. para. 4)
- F26** Sch. 2 para. 6(2)(b)(v) substituted (14.11.2022) by [The Social Security \(Miscellaneous Amendment and Transitional Provision\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/336\)](#), regs. 1(1), **2(4)(c)(i)**
- F27** Sch. 2 para. 6(2)(b)(vi) inserted (14.11.2022) by [The Social Security \(Miscellaneous Amendment and Transitional Provision\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/336\)](#), regs. 1(1), **2(4)(c)(ii)**
- F28** Sch. 2 para. 6(4)-(7) inserted (14.11.2022) by [The Social Security \(Miscellaneous Amendment and Transitional Provision\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/336\)](#), regs. 1(1), **2(4)(c)(iii)**

Multiple pregnancy supplement

7.—(1) Subject to sub-paragraphs (2) and (3) a supplement of [^{F29}£377.35] is to be added to the basic amount in respect of a child born, or to be born, as a result of a multiple pregnancy.

(2) The supplement is to be added to the grant in respect of only one of the children born, or to be born, as a result of the pregnancy, and it is for the Scottish Ministers to decide which child's grant to supplement.

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- (3) No supplement is to be added if the individual to whom the grant is to be given—
- (a) has not applied for a pregnancy and baby grant in respect of all of the children born, or to be born, as a result of the pregnancy; or
 - (b) is not eligible for a pregnancy and baby grant in respect of any of those children.

Textual Amendments

F29 Sum in sch. 2 para. 7(1) substituted (1.4.2024) by [The Social Security \(Up-rating\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2024 \(S.S.I. 2024/105\)](#), regs. 1(2), **5(2)(b)** (with Sch. para. 4)

Form in which grant is given

- 8.—(1) Subject to sub-paragraph (2), a pregnancy and baby grant is to be given as money.
- (2) If—
- (a) the Scottish Ministers offer to give an individual some or all of the value of a pregnancy and baby grant in a form other than money; and
 - (b) the individual agrees to be given the grant in that form,
- the grant is to be given in that form, unless the individual withdraws agreement before the grant is given.

PART 3

Interpretation

Meaning of “child”, “birth” and “born”

- 9.—(1) In this schedule, except in paragraph 1(d)(i)(bb)—
- “child” includes still-born child;
 - “birth” includes still-birth and “born” is to be construed accordingly;
 - “still-born child” and “still-birth” have the meanings given in section 56(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 ^{M3}.
- (2) Sub-paragraph (1) also applies for the purpose of interpreting—
- (a) the definition of “application window” in regulation 5(5) (which relates to the nomination of a date on which an application for assistance is to be treated as having been made); and
 - (b) paragraph 3 of schedule 1 (which describes circumstances in which a determination of entitlement is to be made by the Scottish Ministers without an application).

Marginal Citations

M3 1965 c.49. The definition of “still-born child” is amended by the [Still-Birth \(Definition\) Act 1992 \(c.29\)](#), section 1(2).

Meaning of “sure start maternity grant”

10. In this schedule, “sure start maternity grant” means a payment under—

- (a) regulation 5(1) of the Social Fund Maternity and Funeral Expenses (General) Regulations 2005^{M4}; or
- (b) regulation 5(1) of the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005^{M5}.

Marginal Citations

M4 S.I. 2005/3061; there are amendments but none relevant for the purposes of these Regulations.

M5 S.R. 2005/506; there are amendments but none relevant for the purposes of these Regulations.

[^{F30}Meaning of “domestic abuse”

11.—(1) Subject to sub-paragraph (3), in this schedule, “domestic abuse” means abusive behaviour within the meaning of sections 2 and 3 of the Domestic Abuse (Protection) (Scotland) Act 2021 (“the 2021 Act”).

(2) For the purposes of this schedule, sections 2 and 3 of the 2021 Act apply as if—

- (a) references to “person A” were references to the partner or the ex-partner of the individual to whom the grant is to be given, and
- (b) references to “person B” were references to the individual to whom the grant is to be given.

(3) Sub-paragraphs (4) to (13) have effect until the day on which sections 2 and 3 of the 2021 Act come into force.

(4) “Abusive behaviour” means behaviour by the partner or ex-partner of the individual to whom the grant is to be given (“person A”) which is abusive of the individual to whom the grant is to be given (“person B”).

(5) Behaviour by person A is abusive of person B if a reasonable person would consider the behaviour to be likely to cause person B to suffer physical or psychological harm.

(6) Behaviour is behaviour of any kind, including (for example)—

- (a) saying or otherwise communicating as well as doing something,
- (b) intentionally failing—
 - (i) to do something,
 - (ii) to say or otherwise communicate something.

(7) Behaviour directed at a person is such behaviour however carried out, including (in particular)

- (a) by way of conduct towards property,
- (b) through making use of a third party,

as well as behaviour in a personal or direct manner.

(8) In sub-paragraph (5), the reference to psychological harm includes fear, alarm and distress.

(9) Behaviour may consist of a single incident or a course of conduct.

(10) Behaviour which is abusive of person B includes (in particular)—

- (a) behaviour directed at person B that is violent, threatening or intimidating,
- (b) behaviour directed at person B, at a child of person B or at another person that either—

- (i) has its purpose (or among its purposes) one or more of the relevant effects set out in sub-paragraph (11), or

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(ii) would be considered by a reasonable person to be likely to have one or more of the relevant effects set out in sub-paragraph (11).

(11) The relevant effects are of—

- (a) making person B dependent on, or subordinate to, person A,
- (b) isolating person B from friends, relatives or other sources of support,
- (c) controlling, regulating or monitoring person B’s day-to-day activities,
- (d) depriving person B of, or restricting person B’s, freedom of action,
- (e) frightening, humiliating, degrading or punishing person B.

(12) In sub-paragraph (10)(a), the reference to violent behaviour includes sexual violence as well as physical violence.

(13) Person A and person B are partners (and “ex-partners” is to be construed accordingly) if they are—

- (a) spouses or civil partners of each other, or
- (b) in an intimate personal relationship with each other.]

Textual Amendments

F30 Sch. 2 para. 11 inserted (14.11.2022) by [The Social Security \(Miscellaneous Amendment and Transitional Provision\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/336\)](#), regs. 1(1), **2(4)(d)**

Changes to legislation:

There are currently no known outstanding effects for the The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018, SCHEDULE 2.