

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2020 No. 351**

**SOCIAL SECURITY**

**The Scottish Child Payment Regulations 2020**

*Made - - - - 3rd November 2020*

*Coming into force 9th November 2020*

**THE SCOTTISH CHILD PAYMENT REGULATIONS 2020**

PART 1

Introduction

1. Citation
2. Commencement
3. Overview

PART 2

Interpretation

*General*

4. References to the 2018 Act

*Expressions about time and timing*

5. When an application is to be treated as made
6. Meaning of “working day”
7. Calculation of the age of a child born on 29 February
8. Meaning of “week”

*Expressions about inter-personal relationships*

9. Meaning of being responsible for a child
10. Meaning of “partner”
11. Meaning of “kinship carer”
12. Meaning of “dependant”

*Expressions about social security assistance*

13. Meaning of determination of entitlement to a Scottish child payment
14. Meaning of references to specified kinds of assistance

*Status: This is the original version (as it was originally made).*

15. Meaning of references to assistance being awarded
16. Meaning of “assessment period” in relation to universal credit

PART 3

Eligibility and assistance to be given

17. Duty to give assistance
18. Eligibility for a Scottish child payment
19. Ongoing entitlement
20. Value and form of a Scottish child payment
21. Time of payment
22. Individual’s right to stop receiving assistance
23. Later determination supersedes earlier

PART 4

Transitory provision

24. Definitions – initial period
  25. When an application is treated as made – initial period
  26. Time of payment – initial period
  27. Duty to notify – initial period
- Signature

---

SCHEDULE	Procedural matters
	PART 1 Applications and determination of applications
1.	Requirement for applications
2.	Withdrawal of application
3.	Duty to make a determination of entitlement
4.	Notice of determination
5.	Multiple determinations involving the same child
	PART 2 Determination without application
6.	Determination following official error resulting in underpayment
7.	Determination following error resulting in overpayment
8.	Determination following backdated award of assistance
9.	(1) In making a determination required by paragraph 8 the...
10.	Determination following change of circumstances etc.
11.	Determination following award of a Scottish child payment in respect of another child
12.	Determination following cessation of award of a Scottish child payment
13.	Determination to effect a deduction decision
	PART 3 Re-determination of entitlement
14.	Right to request re-determination and periods allowed
15.	Late request for re-determination
16.	Duty to re-determine and period allowed
17.	Notice of re-determination
18.	Notice where re-determination not made timeously
	PART 4 Appeals
19.	Right to appeal to the First-tier Tribunal against determination
20.	Initiating an appeal
21.	Deadline for appealing

22. First-tier Tribunal's power to determine entitlement
  23. Appeal to First-tier Tribunal against process decisions
  24. Presumption for purposes of paragraphs 4, 14, 15, 17, 18 and 20
    - PART 5 Further provision about determining entitlement
  25. Obtaining information to make determination
  26. Duty to notify change of circumstances
  27. Lifting of duty to notify change of circumstances
  28. Right to support
    - PART 6 Recovery of value of assistance
  29. Liability for assistance given in error
  30. Exclusion from liability
  31. Consideration for debtor's circumstances
  32. Exclusion of other rights of recovery
  33. Liability where assistance given for period after death
    - PART 7 Coronavirus – relaxation of deadlines
  34. Re-determination and appeal deadlines
  35. Timing of applications for Scottish child payment
- Explanatory Note