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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 351**

**The Scottish Child Payment Regulations 2020**

**PART 2**

**Interpretation**

*Expressions about inter-personal relationships*

**Meaning of “dependant”**

- 12.**—(1) A child is to be regarded as a dependant of a person on a day only if—
- (a) paragraph (2) applies, or
  - (b) on that day the person is a kinship carer for the child.
- (2) This paragraph applies if—
- (a) the person has been awarded—
    - (i) child tax credit, child benefit or state pension credit for the day in question (or for a period that includes that day), or
    - (ii) universal credit for an assessment period that includes the day in question, and
  - (b) the child is recognised to be a child for whom the person has responsibility in terms of that award of assistance.
- (3) It is immaterial for the purpose of this regulation that the award of assistance to that person referred to in paragraph (2) does not include any amount in respect of the child due to a rule that restricts the number of dependants in respect of whom the person can be given that type of assistance.