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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 169**

**The Social Security Up-rating (Scotland) Order 2021**

**Citation, commencement and interpretation**

- 1.—(1) This Order may be cited as the Social Security Up-rating (Scotland) Order 2021.
- (2) Subject to paragraphs (3) and (4), this Order comes into force on 1 April 2021.
- (3) Article 2 comes into force, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1 April 2021.
- (4) Articles 3, 4, 5, 6(1)(b), 7, 8 and 9 come into force on 12 April 2021.
- (5) In this Order—
- “the 1992 Act” means the Social Security Contributions and Benefits Act 1992, and
- “benefit week” has the same meaning as in regulation 2(1) of the Social Security Benefit (Computation of Earnings) Regulations 1996(1).

**Mandatory restatement of earnings limits**

2. In section 80(4)(2) of the 1992 Act (earnings limits in respect of child dependency increases)—
- (a) “£245.00”, in both places where it occurs, remains unchanged, and
- (b) “£33.00” remains unchanged.

**Rate of attendance allowance and date on which changes take effect**

- 3.—(1) In the table in Part III of schedule 4 (non-contributory periodical benefits) of the 1992 Act—
- (a) in paragraph (a) in the third column of entry 1 (which specifies the higher weekly rate of attendance allowance)(3), for “£89.15” substitute “£89.60”, and
- (b) in paragraph (b) in the third column of entry 1 (which specifies the lower weekly rate of attendance allowance), for “£59.70” substitute “£60.00”.
- (2) The increases made by paragraph (1) take effect on 12 April 2021.

**Rate of severe disablement allowance and age related addition and date on which changes take effect**

- 4.—(1) In the table in Part III of schedule 4 (non-contributory periodical benefits) of the 1992 Act—
- (a) in the third column of entry 2(4) (which specifies the weekly rate of severe disablement allowance), for “£80.85” substitute “£81.25”, and

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(1) [S.I. 1996/2745](#). Regulation 2(1) is relevantly amended by [S.I. 2016/267](#) and [S.I. 1999/3178](#).

(2) Section 80 was repealed by paragraph 6 of schedule 6 of the Tax Credits Act 2002 (c.21). Article 3 of [S.I. 2003/938](#) saves the repealed provision in certain circumstances. Relevant amending instrument is [S.I. 2020/234](#).

(3) Entry 1 is relevantly amended by [S.I. 2020/234](#).

(4) Entry 2 is relevantly amended by [S.I. 2020/234](#).

- (b) in the third column of entry 3<sup>(5)</sup>—
  - (i) in paragraph (a) (which specifies the higher weekly rate of the age related addition), for “£12.10” substitute “£12.15”,
  - (ii) in paragraph (b) (which specifies the middle weekly rate of the age related addition), for “£6.70” substitute “£6.75”, and
  - (iii) in paragraph (c) (which specifies the lower weekly rate of the age related addition), for “£6.70” substitute “£6.75”.
- (2) The increases made by paragraph (1) take effect on 15 April 2021.

**Mandatory restatement and increase of rates of carer’s allowance and date on which changes take effect**

- 5.—(1) In schedule 4 (rates of benefits) of the 1992 Act—
- (a) in the third column of entry 4 of the table in Part III (which specifies the weekly rate of carer’s allowance)<sup>(6)</sup>, for “£67.25” substitute “£67.60”, and
  - (b) in the second column of entry 9 of the table in Part IV (which specifies the weekly rate of increase for qualifying child)<sup>(7)</sup>, “£11.35” remains unchanged.
- (2) The increases made by paragraph (1) take effect on 12 April 2021, subject to paragraph (3).
- (3) Where arrangements have been made by or on behalf of the Scottish Ministers for carer’s allowance to be paid on a Wednesday, the increase takes effect on 14 April 2021.

**Mandatory restatement and increase of rates for dependants payable with severe disablement allowance and date on which change takes effect**

- 6.—(1) In entry 8 of the table in Part IV of schedule 4 (increases for dependants)<sup>(8)</sup> of the 1992 Act—
- (a) in the second column (which specifies the increase for qualifying child for severe disablement allowance), “£11.35” remains unchanged, and
  - (b) in the third column (which specifies the increase for adult dependant for severe disablement allowance), for “£39.75” substitute “£39.95”.
- (2) The increase made by paragraph (1)(b) takes effect on 15 April 2021.

**Rate of industrial injuries disablement benefit and industrial death benefit and date on which changes take effect**

- 7.—(1) The sums specified in Part V of schedule 4<sup>(9)</sup> (rates of industrial injuries benefit) of the 1992 Act are increased so that Part V has effect as set out in the schedule of this Order.
- (2) The increases made by paragraph (1) take effect on 12 April 2021 except those set out in—
- (a) entry 1 in the table set out in the schedule (the weekly rates of disablement pension),
  - (b) entry 4 in the table set out in the schedule (the maximum of the aggregate of weekly benefit payable for successive accidents under section 107(1) of the 1992 Act),
  - (c) entries 7, 8 and 12 in the table set out in the schedule (increases in disablement pension and industrial death benefit in respect of dependants),

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<sup>(5)</sup> Entry 3 is relevantly amended by [S.I. 2020/234](#).

<sup>(6)</sup> Entry 4 is amended by [S.I. 2014/516](#), [S.I. 2020/298](#) and [S.S.I. 2020/116](#).

<sup>(7)</sup> Entry 9 is amended by [S.S.I. 2019/102](#).

<sup>(8)</sup> Entry 8 is relevantly amended by [S.I. 2019/480](#).

<sup>(9)</sup> Part V of schedule 4 is relevantly amended by section 65(2) and (3) and of the Welfare Reform Act 2012 (c.5), paragraph 15(3) of schedule 1 of the Child Benefit Act 2005 (c.6), [S.I. 2012/780](#), [S.I. 2014/516](#), [S.I. 2018/281](#) and [S.I. 2019/480](#).

- (d) entry 9 in the table set out in the schedule (the maximum disablement gratuity under paragraph 9(2) of schedule 7 of the 1992 Act), and
- (e) entries 10 and 11 in the table set out in the schedule (industrial death benefit by way of widow's and widower's pension),

which take effect on 14 April 2021.

#### **Rate of disability living allowance**

**8.** In regulation 4 (rate of benefit) of the Social Security (Disability Living Allowance) Regulations 1991<sup>(10)</sup>—

- (a) in paragraph (1)(a), for “£89.15” substitute “£89.60”,
- (b) in paragraph (1)(b), for “£59.70” substitute “£60.00”,
- (c) in paragraph (1)(c), for “£23.60” substitute “£23.70”,
- (d) in paragraph (2)(a), for “£62.25” substitute “£62.55”, and
- (e) in paragraph (2)(b), for “£23.60” substitute “£23.70”.

#### **Rate of personal independence payment**

**9.** In regulation 24 of the Social Security (Personal Independence Payment) Regulations 2013<sup>(11)</sup> (rate of personal independence payment)—

- (a) in paragraph (1)(a), for “£59.70” substitute “£60.00”,
- (b) in paragraph (1)(b), for “£89.15” substitute “£89.60”,
- (c) in paragraph (2)(a), for “£23.60” substitute “£23.70”, and
- (d) in paragraph (2)(b), for “£62.25” substitute “£62.55”.

St Andrew's House,  
Edinburgh  
24th March 2021

*SHIRLEY-ANNE SOMERVILLE*  
A member of the Scottish Government

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<sup>(10)</sup> S.I. 1991/2890. Regulation 4 is relevantly amended by S.I. 1993/1939 and S.I. 2020/234.

<sup>(11)</sup> S.I. 2013/377. Regulation 24 is relevantly amended by S.I. 2020/234.