

**2021 No. 469**

**SOCIAL SECURITY**

**The Social Security (Period for Re-determination Requests)  
(Miscellaneous Amendments) (Scotland) Regulations 2021**

*Made* - - - - - *9th December 2021*

*Laid before the Scottish Parliament* *13th December 2021*

*Coming into force* - - - *9th February 2022*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 43(5) of the Social Security (Scotland) Act 2018(a) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Period for Re-determination Requests) (Miscellaneous Amendments) (Scotland) Regulations 2021 and come into force on 9 February 2022.

(2) In these Regulations—

“the Best Start Grant Regulations” means the Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018(b),

“the Funeral Expense Assistance Regulations” means the Funeral Expense Assistance (Scotland) Regulations 2019(c),

“the Young Carer Grants Regulations” means the Carer’s Assistance (Young Carer Grants) (Scotland) Regulations 2019(d),

“the Child Winter Heating Assistance Regulations” means the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020(e).

**Amendment to the Best Start Grant Regulations**

2.—(1) The Best Start Grant Regulations are amended in accordance with paragraph (2).

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(a) 2018 asp 9.  
(b) S.S.I. 2018/370, as relevantly amended by S.S.I. 2019/110.  
(c) S.S.I. 2019/292.  
(d) S.S.I. 2019/324.  
(e) S.S.I. 2020/352.

- (2) In schedule 1—
- (a) in paragraph 2(1) (period allowed for re-determination)—
    - (i) at the end of sub-paragraph (a) omit “or”,
    - (ii) at the end of sub-paragraph (b) insert—  
“, or
  - (c) in a case where the Scottish Ministers have informed the individual of their decision that the request for a re-determination was not made in such form as the Scottish Ministers require, the day on which it is subsequently decided by the First-Tier Tribunal for Scotland that the individual in question has made the request in such form as the Scottish Ministers require.”.

#### **Amendment to the Funeral Expense Assistance Regulations**

**3.**—(1) The Funeral Expense Assistance Regulations are amended in accordance with paragraph (2).

- (2) In regulation 6(2) (periods for redetermination requests)—
- (a) at the end of sub-paragraph (a) omit “or”,
  - (b) at the end of sub-paragraph (b) insert—  
“, or
  - (c) in a case where the Scottish Ministers have informed the applicant of their decision that the request for a re-determination was not made in such form as the Scottish Ministers require, the day on which it is subsequently decided by the First-Tier Tribunal for Scotland that the applicant in question has made the request in such form as the Scottish Ministers require.”.

#### **Amendment to the Young Carer Grants Regulations**

**4.**—(1) The Young Carer Grants Regulations are amended in accordance with paragraph (2).

- (2) In regulation 9(2) (periods for redetermination requests)—
- (a) at the end of sub-paragraph (a) omit “or”,
  - (b) at the end of sub-paragraph (b) insert—  
“, or
  - (c) in a case where the Scottish Ministers have informed the applicant of their decision that the request for a re-determination was not made in such form as the Scottish Ministers require, the day on which it is subsequently decided by the First-Tier Tribunal for Scotland that the applicant in question has made the request in such form as the Scottish Ministers require.”.

#### **Amendment of the Child Winter Heating Assistance Regulations**

**5.**—(1) The Child Winter Heating Assistance Regulations are amended in accordance with paragraph (2).

- (2) In regulation 9(2) (periods for re-determination requests)—
- (a) at the end of sub-paragraph (a) omit “or”,

(b) at the end of sub-paragraph (b) insert—

“, or

- (c) in a case where the Scottish Ministers have informed the individual of their decision that the request for a re-determination was not made in such form as the Scottish Ministers require, the day on which it is subsequently decided by the First-Tier Tribunal for Scotland that the individual in question has made the request in such form as the Scottish Ministers require.”.

*BEN MACPHERSON*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
9th December 2021

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018 (S.S.I. 2018/370), the Funeral Expense Assistance (Scotland) Regulations 2019 (S.S.I. 2019/292), the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019 (S.S.I. 2019/324), and the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020 (S.S.I. 2020/352).

The amendments clarify when the period for re-determination begins in a case where the First-tier Tribunal has decided that a request for re-determination has been validly made.

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