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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 73**

**The Disability Assistance for Children and  
Young People (Consequential Amendment and  
Transitional Provision) (Scotland) Regulations 2021**

**Amendment of the Council Tax Reduction (State Pension Credit) (Scotland) Regulations  
2012**

**14.**—(1) The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012(1) are amended in accordance with paragraphs (2) to (9).

(2) In regulation 2(1) (interpretation), after the definition of “child benefit” insert—

““child disability payment” means—

- (a) disability assistance for children and young people given in accordance with the Disability Assistance for Children and Young People (Scotland) Regulations 2021(2) (and references to the care component of that payment are to be construed in accordance with regulation 2 of those Regulations), and
- (b) where short-term assistance is being given under Part 1 of the schedule of those Regulations (short-term assistance), the “earlier determination” referred to in paragraph 1(1)(a) of that schedule is to be deemed to continue in payment for the purposes of these Regulations.”

(3) In regulation 27(1)(j) (meaning of “income”), after head (iii) insert—

“(iiia) child disability payment.”

(4) In regulation 29(3) (treatment of child care charges)—

(a) after paragraph (11)(f)(iv), insert—

“(ivza) child disability payment.”

(b) in paragraph (14)(a), after “allowance” insert “, child disability payment”.

(5) In regulation 48(4) (non-dependant deductions)—

(a) in paragraph (6)(b)—

(i) omit “or” at the end of head (ii),

(ii) after head (ii) insert—

“(iiza) the care component of child disability payment.”

(iii) at the end of head (iia) insert “or”

(b) in paragraph (9)(a), after “disability living allowance” insert “, child disability payment”.

(6) In Part 3 (disability premiums) of schedule 1(5) (applicable amount)—

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(1) [S.S.I. 2012/319](#).

(2) [S.S.I. 2021/174](#).

(3) As relevantly amended by [S.S.I. 2013/142](#).

(4) As relevantly amended by [S.S.I. 2013/49](#) and [S.S.I. 2013/142](#).

(5) As relevantly amended by [S.S.I. 2013/49](#) and [S.S.I. 2013/142](#).

- (a) in paragraph 6(2), after “the 1992 Act” insert “, the care component of child disability payment at the highest or middle rate”,
  - (b) in paragraph 7(2)(b)(ii), after “the 1992 Act” insert “the care component of child disability payment at the highest or middle rate”,
  - (c) in paragraph 8(1),—
    - (i) omit “or” at the end of head (a),
    - (ii) after head (b) insert—
      - “, or
      - (c) the care component of child disability payment at the highest rate is payable, or would be payable were it not for regulation 17(2) (effect of admission to a care home on ongoing entitlement to care component) or regulation 20 (entitlement beginning while in alternative accommodation), where the person is resident in a care home, of the Disability Assistance for Children and Young People (Scotland) Regulations 2021, in respect of a child or young person who is a member of the applicant’s family.”,
  - (d) in paragraph 9(a), after “disability living allowance” insert “, child disability payment”.
- (7) In schedule 2(6) (sums to be disregarded in the calculation of earnings), in paragraph 5(1) (a), after head (v) insert—  
“(va) child disability payment.”.
- (8) In Part 1 (capital to be disregarded) of schedule 4(7) (capital disregards), after paragraph 21(2)(e) insert—  
“(ea) child disability payment.”.
- (9) In schedule 5(8) (amount of alternative maximum council tax reduction), in paragraph 2(a) after “disability living allowance” insert “, child disability payment”.

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(6) As relevantly amended by [S.S.I. 2013/142](#).

(7) As relevantly amended by [S.S.I. 2013/142](#) and [S.S.I. 2017/236](#).

(8) As relevantly amended by [S.S.I. 2013/142](#).