
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 326

The Scottish Child Payment (Ancillary Provision) Regulations 2022

Transitional provision: determination to extend existing award of Scottish child payment

4.—(1) The Scottish Ministers are to make a determination of an individual's entitlement to a Scottish child payment where paragraph (2) applies.

(2) On 14 November 2022, the individual has an ongoing entitlement to a Scottish child payment in accordance with regulation 19(1) of the 2020 Regulations (ongoing entitlement) by virtue of a determination that was made by the Scottish Ministers before that date.

(3) Subject to paragraph (4), a determination under paragraph (1) must be made—

- (a) on the assumption that the individual continues to meet the eligibility criteria set out in regulation 18 of the 2020 Regulations (eligibility for a Scottish child payment) on the date on which the determination is made, and
- (b) on the basis that the individual has an ongoing entitlement to a Scottish child payment on the basis described in regulation 19(2) of the 2020 Regulations⁽¹⁾.

(4) Where a determination is to be, or has been, made under this regulation—

- (a) the individual's entitlement begins on 14 November 2022,
- (b) regulation 18A⁽²⁾ of the 2020 Regulations (beginning of entitlement to assistance) does not apply, and
- (c) the determination is to be treated for the purposes of the 2020 Regulations as a determination made by the Scottish Ministers under paragraph 3 of the schedule of those Regulations (duty to make a determination of entitlement).

(1) Regulation 19(2) is amended by regulation 2 of these Regulations.

(2) Regulation 18A is inserted by regulation 4(5) of S.S.I. 2022/XXX.