
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 54

The Disability Assistance for Working
Age People (Scotland) Regulations 2022

PART 6

Entitlement under rules relating to age

Age Criteria

- 22.**—(1) Adult Disability Payment may be paid in respect of an individual who—
- (a) is at least 16 years of age, and
 - (b) has not reached the relevant age.
- (2) In this Part, “the relevant age” means—
- (a) pensionable age (within the meaning given by the rules in paragraph 1 of schedule 4 to the Pensions Act 1995(1)), or
 - (b) if higher, 65.
- (3) Where an individual was born on 29 February, their birthday is to be taken to fall on 28 February in a year which is not a leap year.
- (4) Paragraph (1)(b) is subject to the exceptions provided in regulations 23 and 24.

Commencement Information

- II** [Reg. 22](#) in force at 21.3.2022, see [reg. 1](#)

(1) [1995 c. 26](#). Paragraph 1 of schedule 4 was amended by paragraph 39 of schedule 2 of the State Pension Credit Act 2002 (c. 16), paragraph 13 of schedule 3 of the Welfare Reform Act 2007 (c. 5), paragraph 4 of schedule 3 of the Pensions Act 2007 (c. 22), section 1 of the Pensions Act 2011 (c. 19) and section 26 and paragraph 30 of schedule 12 of the Pensions Act 2014 (c. 19).

Status:

Point in time view as at 21/03/2022.

Changes to legislation:

The Disability Assistance for Working Age People (Scotland) Regulations 2022, Section 22 is up to date with all changes known to be in force on or before 03 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.