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## SCOTTISH STATUTORY INSTRUMENTS

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# 2022 No. 54

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

### PART 9

#### Making of applications and payments and duration of eligibility

##### Ending a suspension

- 42.** The Scottish Ministers are to make a decision to end a suspension where—
- the individual provides the information requested under section 54(1) of the 2018 Act<sup>(1)</sup> and the Scottish Ministers consider that they do not require to make a determination without application,
  - regulation 38(3)(a) applies and the Scottish Ministers make a determination without application under regulation 47 (consideration of entitlement after specified period), 48 (determination following change of circumstances, etc.), 49 (determination following official error – underpayments), 50 (determination following error – overpayments) or 51 (determination to effect a deduction decision),
  - the Scottish Ministers make a determination under section 54(2) of the 2018 Act<sup>(2)</sup>,
  - the circumstances mentioned in regulation 38(3)(b) no longer apply, or
  - the Scottish Ministers consider it appropriate in the circumstances, including having regard to the financial circumstances of the individual.

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##### Commencement Information

- II** [Reg. 42](#) in force at 21.3.2022, see [reg. 1](#)

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(1) Section 54(1) was amended by section 12(3)(a) of the Social Security Administration and Tribunal Membership (Scotland) Act 2020 ([asp 18](#)).

(2) Section 54(2) was amended by section 12(3)(c) of the Social Security Administration and Tribunal Membership (Scotland) Act 2020 ([asp 18](#)).

**Status:**

Point in time view as at 21/03/2022.

**Changes to legislation:**

The Disability Assistance for Working Age People (Scotland) Regulations 2022, Section 42 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.