

Status: Point in time view as at 29/08/2022.

Changes to legislation: The Disability Assistance for Working Age People (Scotland) Regulations 2022, Paragraph 10 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. (See end of Document for details)

SCHEDULE 2

PART 3

Transfer from Personal Independence Payment to Adult Disability Payment

[^{F1}Effect of determination on entitlement to Personal Independence Payment

10.—(1) Where a determination is made under paragraph 9(1) that the transferring individual is entitled to Adult Disability Payment, the transferring individual's entitlement to Personal Independence Payment will cease on—

- (a) the date their entitlement to Adult Disability Payment begins,
- (b) where a transferring individual was paid Personal Independence Payment one week in advance and 3 weekly in arrears, the date one week after the date their entitlement to Adult Disability Payment begins, or
- (c) where paragraph 11 applies, the date their entitlement to Adult Disability Payment would have begun had paragraph 11(2) not applied to set an earlier date of entitlement.

(2) Where paragraph (1)(b) applies—

- (a) section 77(4) (personal independence payment) of the Welfare Reform Act 2012, and
- (b) regulation 4(e) of these Regulations (entitlement to other benefits),

do not apply in respect of the first week of entitlement to Adult Disability Payment.]

Textual Amendments

- F1** Sch. 2 para. 10 substituted (29.8.2022) by [The Disability Assistance for Working Age People \(Transitional Provisions and Miscellaneous Amendment\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/217\)](#), regs. 1(1), **19(13)(b)**

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