

Status: Point in time view as at 07/06/2024.

Changes to legislation: The Disability Assistance for Working Age People (Scotland) Regulations 2022, Paragraph 3 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 1

Short-term assistance

End of entitlement

3.—(1) When an individual's entitlement to short-term assistance is to end under subparagraph (2), the Scottish Ministers are to make a determination without application.

(2) Entitlement to short-term assistance ends on the day—

- (a) a determination of an individual's entitlement to short-term assistance is cancelled under section 26(2) of the 2018 Act (individual's right to stop receiving assistance),
- (b) a re-determination of an individual's entitlement to Adult Disability Payment is made by the Scottish Ministers under section 43 of the 2018 Act (duty to re-determine),
- (c) the First-tier Tribunal for Scotland makes a determination under section 49 of the 2018 Act (First-tier Tribunal's power to determine entitlement) in relation to ^{F1}... the individual's entitlement to Adult Disability Payment [^{F2}for the period to which the determination] mentioned in paragraph 1(1)(a)[^{F3}(i) or the earlier determination mentioned in paragraph 1(1)(a)(ii) relates],
- (d) that the First-tier Tribunal for Scotland makes a determination to refuse permission under section 48(1)(b) of the 2018 Act (deadline for appealing) to bring an appeal against the ^{F4}... determination of the individual's entitlement to Adult Disability Payment [^{F5}for the period to which the determination] mentioned in paragraph 1(1)(a)[^{F6}(i) or the earlier determination mentioned in paragraph 1(1)(a)(ii) relates], or
- (e) where the individual withdraws their application to bring an appeal against the ^{F7}... determination of the individual's entitlement to Adult Disability Payment [^{F8}for the period to which the determination] mentioned in paragraph 1(1)(a)[^{F9}(i) or the earlier determination mentioned in paragraph 1(1)(a)(ii) relates], on that day.

Textual Amendments

- F1** Words in sch. 2 para. 3(2)(c) omitted (7.6.2024) by virtue of The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(a)**
- F2** Words in sch. 2 para. 3(2)(c) inserted (7.6.2024) by The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(b)(ii)**
- F3** Words in sch. 2 para. 3(2)(c) inserted (7.6.2024) by The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(b)(i)**
- F4** Word in sch. 2 para. 3(2)(d) omitted (7.6.2024) by virtue of The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(c)**
- F5** Words in sch. 2 para. 3(2)(d) inserted (7.6.2024) by The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(b)(ii)**
- F6** Words in sch. 2 para. 3(2)(d) inserted (7.6.2024) by The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(b)(i)**
- F7** Word in sch. 2 para. 3(2)(e) omitted (7.6.2024) by virtue of The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(c)**
- F8** Words in sch. 2 para. 3(2)(e) inserted (7.6.2024) by The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(b)(ii)**

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F9 Words in sch. 2 para. 3(2)(e) inserted (7.6.2024) by The Disability Assistance for Older People (Scotland) Regulations 2024 (S.S.I. 2024/166), reg. 1(3), **sch. para. 16(6)(b)(i)**

Commencement Information

I1 Sch. 2 para. 3 in force at 21.3.2022, see **reg. 1**

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