

Status: Point in time view as at 21/03/2022. This version of this provision has been superseded.
Changes to legislation: The Disability Assistance for Working Age People (Scotland) Regulations 2022, Paragraph 7 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

Interpretation

7. In this Part of the schedule—

“date of transfer” means the date when a transferring individual’s entitlement to Adult Disability Payment begins by virtue of a determination made under paragraph 9(1),

“relevant individual” means an individual—

- (a) who has an award of Personal Independence Payment who appears to the Scottish Ministers to be likely to be eligible for Adult Disability Payment, and
- (b) who is—
 - (i) ordinarily resident in Scotland, or
 - (ii) someone to whom regulation 15(3) (residence and presence conditions) or 20(2) (persons residing outside the United Kingdom to whom a relevant EU regulation applies) applies,

“sufficient” means a link to Scotland that is sufficiently close that regulations 15(3) or 20(2) would be incompatible with the applicable agreement mentioned in that regulation, if the relevant individual were not entitled to Adult Disability Payment,

“transfer notice” means the notice required by paragraph 8, and

“transferring individual” means a relevant individual on whom the Scottish Ministers have served a notice of intention to transfer in accordance with paragraph 8.

Commencement Information

II Sch. 2 para. 7 in force at 21.3.2022, see **reg. 1**

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