
DRAFT STATUTORY INSTRUMENTS

2021 No.

The Scotland Act 2016 (Social Security) (Consequential Provision) (Miscellaneous Amendment) Regulations 2021

PART 4

Amendment of secondary legislation: England and Wales, and Scotland

Persons moving from Scotland to England and Wales: Disability Living Allowance and Personal Independence Payment

Amendment of the Social Security (Disability Living Allowance) Regulations 1991

5.—(1) Regulation 2 of the Social Security (Disability Living Allowance) Regulations 1991⁽¹⁾ (conditions as to residence and presence in Great Britain)⁽²⁾ is amended as follows.

(2) Before paragraph (2) insert—

“(1ZA) A person to whom regulation 36(1) of the Disability Assistance for Children and Young People (Scotland) Regulations 2021 applies shall be treated for the period set out in that regulation as though he does not satisfy the condition in paragraph (1)(a)(i) of this regulation.”.

⁽¹⁾ [S.I. 1991/2890](#).

⁽²⁾ Regulation 2(2) was amended by regulation 2(3) of [S.I. 1993/1939](#), regulation 2(3) and Schedule 3 to [S.I. 2005/2877](#), and regulations 4(1) and 4(3)(d)(i), (d)(ii), (e) and (f) of [S.I. 2013/389](#).