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STATUTORY INSTRUMENTS

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**2021 No. 804**

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

**PART 6**

Amendment of secondary legislation: England and Wales, and Scotland

*Appointees*

**Amendment of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013**

**10.**—(1) The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013<sup>(1)</sup> are amended as follows.

(2) After regulation 57(1) (persons unable to act) insert—

“(1A) Where a natural person over the age of 18 has been appointed by the Scottish Ministers under a qualifying appointment pursuant to the 2018 Scotland Act in connection with the determination of assistance under section 24 of that Act (whether or not including an appointment to receive assistance on behalf of the individual), the Secretary of State may, if the person agrees, treat that person as if the Secretary of State had appointed that person under paragraph (1).

(1B) In paragraph (1A) a qualifying appointment means—

- (a) an appointment made under section 58(1) of the 2018 Scotland Act in a case where section 58(4) of that Act applies, or
- (b) an appointment made under section 85B(1) of the 2018 Scotland Act in a case where section 85B(7) of that Act applies.

(1C) In this regulation “the 2018 Scotland Act” means the Social Security (Scotland) Act 2018.”.