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STATUTORY INSTRUMENTS

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**2022 No. 177**

**The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022**

**PART 2**

Amendments to legislation applying in relation to England and Wales and Scotland

**Amendment of the Employment and Support Allowance Regulations 2013**

**16.**—(1) The Employment and Support Allowances Regulations 2013<sup>(1)</sup> are amended as follows.

(2) In regulation 94 (meaning of “person in hardship”)—

(a) in paragraph (3)(b)—

(i) after “child disability payment” for “or” substitute “,”;

(ii) after “personal independence payment”, insert “or adult disability payment”;

(b) in paragraph (3)(c)(ii)—

(i) after “child disability payment” for “or” substitute “,”;

(ii) after “personal independence payment”, insert “or adult disability payment”;

(c) in paragraph (7)—

(i) before the definition of “armed forces independence payment” insert—

““adult disability payment” has the meaning given in regulation 2 of the Disability Assistance for Working Age People (Scotland) Regulations 2022;”;

(ii) for the definition of “daily living component” substitute—

““daily living component” means—

(a) in respect of personal independence payment, the daily living component of that payment at the standard or enhanced rate referred to in section 78 of the Welfare Reform Act 2012;

(b) in respect of adult disability payment, the daily living component of that payment at the standard or enhanced rate referred to in regulation 5 of the Disability Assistance for Working Age People (Scotland) Regulations 2022.”.

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<sup>(1)</sup> [S.I. 2013/379](#), as amended by [S.I. 2013/591](#), [1508](#) and [2021/786](#); there are other amendments to this instrument but none is relevant.