
STATUTORY INSTRUMENTS

2023 No. 1218

The Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023

Part 3

England and Wales and Scotland

Amendment of the State Pension Credit Regulations 2002

14.—(1) The State Pension Credit Regulations 2002(1) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of “care home service” insert—

““carer support payment” means carer’s assistance given in accordance with the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023;”.

(3) In regulation 6(5)(b) (amount of the guarantee credit), after “receipt of an allowance under section 70 of the 1992 Act” insert “or carer support payment”.

(4) In regulation 15 (income for the purposes of the Act), after paragraph (4)(f) insert—

“(g) regulation 16(2) of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023.”.

(5) In regulation 18(1CA) (notional income), after “the Social Security (Overlapping Benefits) Regulations 1979” insert “or regulation 16(2) of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023”.

(6) In Schedule 1 (additional amounts)—

(a) in paragraph 1—

(i) in sub-paragraph (1)(a)(iii), after “(carer’s allowance)” insert “or carer support payment”;

(ii) in the words after sub-paragraph (1)(b)—

(aa) after “and either a person is entitled to, and in receipt of, an allowance under section 70 of the 1992 Act” insert “or carer support payment”;

(bb) after “in respect of caring for one only of the partners or, as the case may be, no person is entitled to, and in receipt of, such an allowance under section 70” insert “or carer support payment”;

(iii) in sub-paragraph (1)(c)(iv), after “no person is entitled to and in receipt of an allowance under section 70 of the 1992 Act” insert “or carer support payment”;

(iv) in sub-paragraph (2)(c), after “as not being in receipt of an allowance under section 70 of the 1992 Act” insert “or carer support payment”;

(1) S.I. 2002/1792; relevant amending instruments are S.I. 2002/3197, 2003/2274, 2007/719, 2007/2618, 2011/2581, 2013/388, 2013/591, 2014/2888, 2015/1754, 2017/1015, 2018/228, 2022/177 and 2023/316.

- (b) in paragraph 4—
 - (i) in sub-paragraph (2), after “allowance under section 70 of the 1992 Act (carer’s allowance)” insert “or carer support payment”;
 - (ii) in sub-paragraph (3), after “allowance”, in both places it occurs, insert “or payment”;
 - (iii) in sub-paragraph (4)—
 - (aa) after “the allowance”, in both places it occurs, insert “or payment”;
 - (bb) after “that allowance” insert “or payment”;
 - (c) in paragraph 5, after “allowance under section 70 of the 1992 Act” insert “or carer support payment”.
- (7) In paragraph 1(10)(d) of Schedule 3 (special groups), after “allowance under section 70 of the 1992 Act” insert “or carer support payment”.
- (8) In Schedule 4 (amounts to be disregarded in the calculation of income other than earnings), after paragraph 18 insert—
- “**19.** Any amount of carer support payment that is in excess of the amount the claimant would receive if they had an entitlement to carer’s allowance under section 70 of the 1992 Act.”.