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STATUTORY INSTRUMENTS

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**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 Employment and Support Allowance Regulations 2013**

- 25.**—(1) The Employment and Support Allowance Regulations 2013<sup>(1)</sup> are amended as follows.
- (2) In regulation 2 (interpretation), after the definition of “carer’s allowance” 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 9(2)(a) (relaxation of the first contribution condition), after “carer’s allowance” insert “or carer support payment”.
- (4) In regulation 47 (claimants subject to no work-related requirements)—
- (a) in paragraph (1)(a), after “carer’s allowance” insert “or have entitlement to carer support payment”;
- (b) in paragraph (2), for sub-paragraphs (a) and (b) substitute—
- “(a) satisfies the conditions for entitlement to a carer’s allowance, or would do so but for the fact that—
- (i) their earnings have exceeded the limit prescribed for the purposes of that allowance; or
- (ii) they are—
- (aa) resident, or treated as resident, in Scotland; or
- (bb) resident outside of Great Britain and have a genuine and sufficient link to Scotland; or
- (b) is entitled to carer support payment.”;
- (c) in paragraph (5), after the definition of “severely disabled” insert—
- ““sufficient” has the meaning given in paragraph 3 of Schedule 1 to the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023;”.
- (5) In regulation 85(2)(a) (waiting days), after “carer’s allowance,” insert “carer support payment,”.
- (6) In regulation 100(b) (modification in the calculation of income), after “carer’s allowance” insert “, carer support payment”.

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(1) [S.I. 2013/379](#), amended by [S.I. 2017/422](#); there are other amending instruments but none is relevant.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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