Draft Order laid before Parliament under paragraphs 1, 2 and 3 of Schedule 7 to the Scotland Act 1998, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

SOCIAL SECURITY

The Social Security (Scotland) Act 2018 (Carer's Assistance) (Consequential Modifications) Order 2026

Made - - - -	***
Coming into force - -	*15th March 2026*

The Secretary of State makes this Order in exercise of the powers conferred by section 104, 112(1) and 113(5) of the Scotland Act 1998(**a**).

In accordance with paragraphs 1, 2 and 3 of Schedule 7 to that Act a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

PART 1

Citation, commencement and extent

Citation, commencement and extent

1.—(1) This Order may be cited as the Social Security (Scotland) Act 2018 (Carer's Assistance) (Consequential Modifications) Order 2026.

(2) This Order comes into force on 15th March 2026.

(3) Parts 1 and 5 of this Order extend to England and Wales, Scotland and Northern Ireland.

(4) Part 2 of this Order extends to England and Wales only.

(5) Part 3 of this Order extends to England and Wales and Scotland only.

(6) Part 4 of this Order extends to Northern Ireland only.

(**a**) 1998 c. 46. There are amendments to sections 104 and 112 which are not relevant to this Order.

PART 2

England and Wales

Amendment of the Social Security Contributions and Benefits Act 1992

2. In the Social Security Contributions and Benefits Act 1992(**a**), in section 70(7B) (carer's allowance), for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Invalid Care Allowance) Regulations 1976

3. In the Social Security (Invalid Care Allowance) Regulations 1976(**b**), in regulation 7(5) (manner of electing the person entitled to a carer's allowance in respect of a severely disabled person for the purposes of section 70 of the Contributions and Benefits Act), for "carer's assistance" substitute "the carer support payment component of carer support".

PART 3

England and Wales and Scotland

Amendment of the Social Security Contributions and Benefits Act 1992

4. In the Social Security Contributions and Benefits Act 1992(**c**), in section 150(2) (interpretation of Part 10), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the State Pension Credit Act 2002

5. In the State Pension Credit Act 2002(**d**), in section 17(1) (other interpretation provisions), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Credits) Regulations 1975

6. In the Social Security (Credits) Regulations 1975(**e**), in regulation 7A(3) (credits for carer's allowance or carer support payment), for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979

7. In the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979(**f**), in regulation 4(1)(b)(v) (days to be treated as days of increment), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

(**a**) 1992 c. 4; section 70(7B) was inserted by S.I. 2023/1214.
(**b**) S.I. 1976/409, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**c**) 1992 c. 4; the relevant definition within section 150(2) was inserted by S.I. 2023/1214.
(**d**) 2002 c. 16. Section 17(1) was amended by S.I. 2023/1214.
(**e**) S.I. 1975/556, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**f**) S.I. 1979/642, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.

Amendment of the Income Support (General) Regulations 1987

8.—(1) The Income Support (General) Regulations 1987(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 2 (applicable amounts), in paragraph 14ZA (carer premium)—

(a) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(b) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(c) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(d) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (3)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" are to be read as "12 weeks".".

(4) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings), after paragraph 87, insert—

"88. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

89. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 10 (capital to be disregarded), in paragraph 7(1)—

(a) in paragraph (a), for "or 86" substitute ", 86, 88 or 89";

(b) after paragraph (g), insert—

"(h) carer support payment, but only that amount 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 Contributions and Benefits Act,".

Amendment of the Social Security (Claims and Payments) Regulations 1987

9. In the Social Security (Claims and Payments) Regulations 1987(**b**), in regulation 3A(6) (notification that claim not required for entitlement to a Category A or B retirement pension), in paragraph (ab) of the definition of "non-exempt benefit", for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988

10. In the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988(**c**), in regulation 5(2B) (offsetting prior payment against subsequent award), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(**a**) S.I. 1987/1967; relevant amending instruments are S.I. 1990/1776, 1991/1559, 2002/2497, 2003/2279, 2023/1218, 2002/2020 and 2021/886.
(**b**) S.I. 1987/1968; relevant amending instruments are S.I. 2010/1794 and 2023/1218.
(**c**) S.I. 1988/664, amended by S.I. 2024/282; there are other amending instruments but none is relevant.

Amendment of the Income Support (Liable Relatives) Regulations 1990

11. In the Income Support (Liable Relatives) Regulations 1990(**a**), in regulation 2(1)(e) (prescribed amounts for the purposes of section 24A of the Act), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Jobseeker's Allowance Regulations 1996

12.—(1) The Jobseeker's Allowance Regulations 1996(**b**) are amended as follows.

(2) In regulation 1(3) (citation, commencement, interpretation and application), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 1 (applicable amounts)—

(a) in paragraph 17 (carer premium)—

(i) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(ii) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iii) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iv) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (3)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" are to be read as "12 weeks".";

(b) in paragraph 20J (carer premium)—

(i) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(ii) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iii) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iv) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (3)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" are to be read as "12 weeks".".

(4) In Schedule 7 (sums to be disregarded in the calculation of income other than earnings), after paragraph 83, insert—

"84. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

85. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 8 (capital to be disregarded), in paragraph 12(1)—

(**a**) S.I. 1990/1777; relevant amending instruments are S.I. 2002/2497 and 2023/1218.
(**b**) S.I. 1996/207; relevant amending instruments are S.I. 2000/681, 2000/1978, 2002/2020 and 2023/1218.

(a) in paragraph (a), for "or 82" substitute "82, 84 or 85";

(b) after paragraph (f), insert—

"(g) carer support payment, but only that amount 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 Benefits Act,".

Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations 1999

13. In the Social Security and Child Support (Decisions and Appeals) Regulations 1999(**a**), in regulation 7(2B) (date from which a decision superseded under section 10 takes effect), for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Work-focused Interviews) Regulations 2000

14. In the Social Security (Work-focused Interviews) Regulations 2000(**b**), in regulation 6(4)(b) (continuing entitlement dependent upon an interview), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000

15. In the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000(**c**), in regulation 2ZB(5)(a) (general requirement for lone parents entitled to income support to take part in an interview), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Security (Jobcentre Plus Interviews) Regulations 2002

16. In the Social Security (Jobcentre Plus Interviews) Regulations 2002(**d**), in regulation 4(4)(a) (continuing entitlement to specified benefit dependent on an interview) for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the State Pension Credit Regulations 2002

17.—(1) The State Pension Credit Regulations 2002(**e**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In regulation 15(1) (income for the purposes of the act), after sub-paragraph (rh), insert—

"(ri) Scottish carer supplement and carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023;".

(4) In Schedule 1, in Part 2 (amount applicable for carers), in paragraph 4—

(**a**) S.I. 1999/991, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.I. 2000/897; relevant amending instruments are S.I. 2005/2727 and 2023/1218.
(**c**) S.I. 2000/1926; relevant amending instruments are S.I. 2011/2428 and 2023/1218.
(**d**) S.I. 2002/1703; relevant amending instruments are S.I. 2011/2428 and 2023/1218.
(**e**) S.I. 2002/1792, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.

(a) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(b) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraph (3)(a), where the relevant additional amount has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the reference to "8 weeks" is to be read as "12 weeks".".

(5) In Schedule 5 (income from capital), after paragraph 20(2)(y), insert—

";

(z) 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;

(z1) any Scottish carer supplement or carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023".

Amendment of the Social Security (Deferral of Retirement Pensions) Regulations 2005

18. In the Social Security (Deferral of Retirement Pensions) Regulations 2005(**a**), in regulation 3(1)(a)(v) (amount of retirement pension not included in the calculation of the lump sum) for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Fund Maternity and Funeral Expenses (General) Regulations 2005

19. In the Social Fund Maternity and Funeral Expenses (General) Regulations 2005(**b**), in regulation 10(1A)(ca) (deductions from an award of a funeral payment), omit "payment" in the first place it appears.

Amendment of the Housing Benefit Regulations 2006

20.—(1) The Housing Benefit Regulations 2006(**c**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 3 (applicable amounts), in paragraph 17 (carer premium)—

(a) in the words before sub-paragraph (2)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(b) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(c) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (2)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" are to be read as "12 weeks".".

(**a**) S.I. 2005/453, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.I. 2005/3061; relevant amending instruments are S.I. 2013/247 and 2023/1218.
(**c**) S.I. 2006/213, amended by S.I. 2023/1218 and S.I. 2021/886; there are other amending instruments but none is relevant.

(4) In Schedule 5 (sums to be disregarded in the calculation of income other than earnings), after paragraph 74, insert—

"75. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

76. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 6 (capital to be disregarded), in paragraph 9(1)—

(a) in paragraph (a), for "or 73" substitute ", 73, 75 or 76";

(b) after paragraph (i), insert—

"(j) carer support payment, but only that amount 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 Act,".

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

21.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In regulation 29(1)(j) (meaning of "income"), after paragraph (xviih), insert—

(xviiha) Scottish carer supplement and carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023;".

(4) In Schedule 3 (applicable amounts), in paragraph 9 (carer premium)—

(a) in the words before sub-paragraph (2)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(b) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraph (2)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the reference to "eight weeks" is to be read as "12 weeks".".

(5) In Schedule 6 (capital to be disregarded), after paragraph 21(2)(x), insert—

"(y) 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 Act;

(z) any Scottish carer supplement or carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023".

(**a**) S.I. 2006/214, amended S.I. 2023/1218; there are other amending instruments but none is relevant.

Amendment of the Employment and Support Allowance Regulations 2008

22.—(1) The Employment and Support Allowance Regulations 2008(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 4 (amounts), in paragraph 8 (carer premium)—

(a) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(b) in the words before sub-paragraph (2)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(c) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(d) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (2)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "8 weeks" are to be read as "12 weeks".".

(4) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings), after paragraph 75, insert—

"76. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

77. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 9 (capital to be disregarded), in paragraph 11(1)—

(a) in paragraph (a), for "or 74" substitute ", 74, 76 or 77";

(b) after paragraph (e), insert—

"(f) carer support payment, but only that amount 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 Contributions and Benefits Act,".

Amendment of the Social Security (Contributions Credits for Parents and Carers) Regulations 2010

23.—(1) The Social Security (Contributions Credits for Parents and Carers) Regulations 2010(**b**) are amended as follows.

(2) In regulation 7 (additional period in respect of entitlement to carer's allowance or carer support payment and relevant benefits)—

(a) in paragraph (1)—

(i) in sub-paragraph (a), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with";

(ii) in sub-paragraph (b), for "carer support payment" substitute "the carer support payment component of carer support";

(b) in paragraph (2), after "payment" insert "of the carer support payment component of carer support".

(**a**) S.I. 2008/794, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.I. 2010/19, amended by S.I. 2023/1218.

Amendment of the Child Support Maintenance Calculation Regulations 2012

24. In the Child Support Maintenance Calculation Regulations 2012(**a**), in regulation 44(1)(j) (flat rate) for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Universal Credit Regulations 2013

25. In the Universal Credit Regulations 2013(**b**), in regulation 2 (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Jobseeker's Allowance Regulations 2013

26. In the Jobseeker's Allowance Regulations 2013(**c**), in regulation 2(2) (general interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Employment and Support Allowance Regulations 2013

27.—(1) The Employment and Support Allowance Regulations 2013(**d**) are amended as follows.

(2) In regulation 2 (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In regulation 100(b) (modification in the calculation of income), for "payment" in the second place it appears substitute "given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023".

Amendment of the Universal Credit (Transitional Provisions) Regulations 2014

28. In the Universal Credit (Transitional Provisions) Regulations 2014(**e**), in Schedule 2 (claimants previously entitled to a severe disability premium), in paragraph 8(3), for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the State Pension Regulations 2015

29.—(1) The State Pension Regulations 2015(**f**) are amended as follows.

(2) In regulation 11(2)(a)(via) (days which are not included in determining the period of deferral), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

(3) In regulation 38 (credits for an additional period in respect of entitlement to carer's allowance or carer support payment and relevant benefits)—

(a) in paragraphs (1)(a) and (2), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with";

(b) in paragraph (1)(b), for "carer support payment" substitute "the carer support payment component of carer support".

(**a**) S.I. 2012/2677; relevant amending instruments are S.I. 2015/1985 and 2023/1218.
(**b**) S.I. 2013/376, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**c**) S.I. 2013/378, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**d**) S.I. 2013/379, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**e**) S.I. 2014/1230; relevant amending instruments are S.I. 2021/4, 2023/543 and 2023/1218.
(**f**) S.I. 2015/173; relevant amending instruments are S.I. 2016/240 and 2023/1218.

PART 4

Northern Ireland

Amendment of the Social Security Contributions and Benefits (Northern Ireland) Act 1992

30. In the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**), in section 70(7B) (carer's allowance) for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the State Pension Credit Act (Northern Ireland) 2002

31. In the State Pension Credit Act (Northern Ireland) 2002(**b**), in section 2(8A) (guarantee credit), for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Credits) Regulations (Northern Ireland) 1975

32. In the Social Security (Credits) Regulations (Northern Ireland) 1975(**c**), in regulation 7A(3) (credits for carer's allowance), for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976

33. In the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(**d**), in regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Social Security (Widow's Benefit and Retirement Pensions) (Northern Ireland) Regulations 1979

34. In the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979(**e**), in regulation 4(1)(b)(v) (days to be treated as days of increment), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Income Support (General) Regulations (Northern Ireland) 1987

35.—(1) The Income Support (General) Regulations (Northern Ireland) 1987(**f**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 2 (applicable amounts), in paragraph 14ZA (carer premium)—

(a) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(**a**) 1992 c. 7. Section 70(7B) was inserted by S.I. 2023/1214.
(**b**) 2002 c. 14 (N.I.). Section 2(8A) was inserted by S.I. 2023/1214.
(**c**) S.R. 1975 No. 113; relevant amending instruments are S.R. 1976 No. 99, S.R. 2002 No. 323 and S.I. 2023/1218.
(**d**) S.R. 1976 No. 99; relevant amending instrument S.I. 2023/1218.
(**e**) S.R. 1979 No. 243; amended instrument S.I. 2023/1218; there are other amending instruments but none is relevant.
(**f**) S.R. 1987 No. 459; relevant amending instruments are S.R. 1990 No. 346, S.R. 1991 No. 338, S.R. 1992 No. 6, S.R. 2000 No. 74, S.R. 2002. Nos. 322 and 323, S.R. 2003 No. 417, S.R. 2019 No. 195, S.I. 2021/886 and S.I. 2023/1218.

(b) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(c) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(d) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (3)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" should be read as "12 weeks".".

(4) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings), after paragraph 78, insert—

"79. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

80. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 10 (capital to be disregarded), in paragraph 7(1)—

(a) in head (a), for "or 77" substitute ", 77, 79 or 80";

(b) after head (e), insert—

"(f) carer support payment, but only that amount 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 Contributions and Benefits Act,".

Amendment of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987

36. In the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**a**), in regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Income Support (Liable Relatives) Regulations (Northern Ireland) 1990

37. In the Income Support (Liable Relatives) Regulations (Northern Ireland) 1990(**b**), in regulation 2(1)(e) (prescribed amounts for the purposes of Article 25A of the Order), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 1996

38.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996(**c**) are amended as follows.

(2) In regulation 1(2) (citation, commencement, interpretation and application), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 1 (applicable amounts)—

(**a**) S.R. 1987 No. 465; relevant amending instruments are S.R. 2010 No. 337, S.R. 2011 No. 296 and S.I. 2023/1218.
(**b**) S.R. 1990 No. 375; relevant amending instruments are S.R. 2002 No. 323 and S.I. 2023/1218.
(**c**) S.R. 1996 No. 198; relevant amending instruments are S.R. 2000 Nos. 74, 350 and 366, S.R. 2002 Nos. 295, 322 and 323, S.R. 2003 Nos. 154 and 417, S.R. 2019 No. 195, S.I. 2021/886 and S.I. 2023/1218.

(a) in paragraph 17 (carer premium)—

(i) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(ii) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iii) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iv) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (3)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" are to be read as "12 weeks".";

(b) in paragraph 20J (carer premium)—

(i) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(ii) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iii) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(iv) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (3)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "eight weeks" and "8 weeks" respectively, are to be read as "12 weeks".".

(4) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings), after paragraph 74, insert—

"75. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

76. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 7 (capital to be disregarded), in paragraph 12(1)—

(a) in head (a), for "or 73" substitute ", 73, 75 or 76";

(b) after head (f), insert—

"(g) carer support payment, but only that amount 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 Contributions and Benefits Act,".

Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999

39. In the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(**a**), in regulation 1(2) (citation, commencement, application and interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(**a**) S.R. 1999 No. 162; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.

Amendment of the Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001

40. In the Social Security (Work-focused Interviews for Lone Parents) Regulations (Northern Ireland) 2001(**a**), in regulation 2ZB(5)(a) (general requirement for lone parents entitled to income support to take part in an interview), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2001

41. In the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2001(**b**), in regulation 5(4)(b) (continuing entitlement dependent upon an interview), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the State Pension Credit Regulations (Northern Ireland) 2003

42.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(**c**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In regulation 15(1) (income for the purposes of the Act), after sub-paragraph (qg), insert—

"(qh) Scottish carer supplement and carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023;".

(4) In Schedule 1 (circumstances in which persons are treated as being or not being severely disabled), in Part 2 (amount applicable for carers), in paragraph 4—

(a) in the words before sub-paragraph (3)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(b) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraph (3)(a), where the relevant additional amount has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the reference to "8 weeks" is to be read as "12 weeks".".

(5) In Schedule 5 (income from capital), after paragraph 20(2)(w), insert—

"(x) 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 Contributions and Benefits Act.

(y) any Scottish carer supplement or carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023".

(**a**) S.R. 2001 No. 152; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.R. 2001 No. 176; relevant amending instruments are S.R. 2002 No. 323 and S.I. 2023/1218.
(**c**) S.R. 2003 No. 28; relevant amending instruments are S.I. 2021/886 and S.I. 2023/1218.

Amendment of the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003

43. In the Social Security (Work-focused Interviews) Regulations (Northern Ireland) 2003(**a**), in regulation 3(4)(a) (continuing entitlement to full amount of a specified benefit dependent on an interview), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Security (Deferral of Retirement Pensions) Regulations (Northern Ireland) 2005

44. In the Social Security (Deferral of Retirement Pensions) Regulations (Northern Ireland) 2005(**b**), in regulation 3(1)(a)(v) (amount of retirement pension not included in the calculation of the lump sum) for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

Amendment of the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005

45. In the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005(**c**), in regulation 10(1A)(ca) (deductions from an award of a funeral payment), omit "payment" in the first place it appears.

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

46.—(1) The Housing Benefit Regulations (Northern Ireland) 2006(**d**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 4 (applicable amounts), in paragraph 17 (carer premium)—

(a) in the words before sub-paragraph (2)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(b) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(c) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (2)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "8 weeks" are to be read as "12 weeks".".

(4) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings), after paragraph 71, insert—

"72. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

73. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(**a**) S.R. 2003 No. 274; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.R. 2005 No. 120; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**c**) S.R. 2005 No. 506; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**d**) S.R. 2006 No. 405; amended by S.I. 2021/886 and S.I. 2023/1218; there are other amending instruments but none is relevant.

(5) In Schedule 7 (capital to be disregarded), in paragraph 9(1)—

(a) in head (a), for "or 70" substitute ", 70, 72 or 73";

(b) after head (i), insert—

"(j) carer support payment, but only that amount 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 Contributions and Benefits Act,".

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006

47.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In regulation 27(1)(h) (meaning of "income"), after paragraph (xve), insert—

"(xvea) Scottish carer supplement and carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(4) In Schedule 4 (applicable amounts), in paragraph 9 (carer premium)—

(a) in the words before sub-paragraph (2)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(b) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraph (2)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the reference to "8 weeks" is to be read as "12 weeks".".

(5) In Schedule 7 (capital to be disregarded), after paragraph 21(2)(u), insert—

"(v) 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 Contributions and Benefits Act;

(w) any Scottish carer supplement or carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008

48.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008(**b**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In Schedule 4 (amounts), in paragraph 8 (carer premium)—

(a) in sub-paragraph (1), for "and (4)" substitute ", (4) and (5)";

(**a**) S.R. 2006 No. 406; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.R. 2008 No. 280; relevant amending instruments are S.I. 2023/1218 and 2021/886.

(b) in the words before sub-paragraph (2)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(c) in the words before sub-paragraph (4)(a), for "Where" substitute "Subject to sub-paragraph (5), where";

(d) after sub-paragraph (4), insert—

"(5) For the purposes of sub-paragraphs (2)(a) and (4)(a), where the relevant premium has been awarded as a result of the claimant or the claimant's partner being entitled to carer support payment, and the death occurred on or after 15th March 2026, the references to "8 weeks" are to be read as "12 weeks".".

(4) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings), after paragraph 69, insert—

"70. Any Scottish carer supplement given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.

71. Any carer additional person payment given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023.".

(5) In Schedule 9 (capital to be disregarded), in paragraph 11(1)—

(a) in head (a), for "or 68" substitute ", 68, 70 or 71";

(b) after head (e), insert—

"(f) carer support payment, but only that amount 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 Contributions and Benefits Act,".

Amendment of the Social Security (Contributions Credits for Parents and Carers) Regulations (Northern Ireland) 2010

49.—(1) The Social Security (Contributions Credits for Parents and Carers) Regulations (Northern Ireland) 2010(**a**) are amended as follows.

(2) In regulation 7 (additional period in respect of entitlement to carer's allowance, carer support payment and relevant benefits)—

(a) in paragraph (1)(a), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with";

(b) in paragraph (1)(b), for "carer support payment" substitute "the carer support payment component of carer support";

(c) in paragraph (2), after "payment" insert "of the carer support payment component of carer support".

Amendment of the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012

50. In the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012(**b**), in regulation 43(1)(j) (flat rate), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

(**a**) S.R. 2010 No. 82; regulation 7(1) was amended by S.I. 2023/1218.
(**b**) S.R. 2012 No. 427; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.

Amendment of the State Pension Regulations (Northern Ireland) 2015

51.—(1) The State Pension Regulations (Northern Ireland) 2015(**a**) are amended as follows.

(2) In regulation 11(2)(a)(via) (days which are not included in determining the period of deferral), for "carer support payment under" substitute "the carer support payment component of carer support given in accordance with".

(3) In regulation 38 (credits for an additional period in respect of entitlement to carer's allowance and relevant benefits)—

(a) in the heading, after "carer's allowance" insert "or carer's support payment";

(b) in paragraph (1)(a), after "carer's allowance by virtue of subsection (1) of section 70(1) of the Contributions and Benefits Act (carers allowance)" insert "or the carer support payment component of carer support given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023";

(c) at the end of paragraph (1)(b) insert "or the carer support payment component of carer support by virtue of those Regulations";

(d) in paragraph (2), after "an allowance under section 70 of the Contributions and Benefits Act" insert "or the carer support payment component of carer support given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023".

Amendment of the Universal Credit Regulations (Northern Ireland) 2016

52. In the Universal Credit Regulations (Northern Ireland) 2016(**b**), in regulation 2(1) (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 2016

53. In the Jobseeker's Allowance Regulations (Northern Ireland) 2016(**c**), in regulation 2(2) (general interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2016

54.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2016(**d**) are amended as follows.

(2) In regulation 2 (interpretation), in the definition of "carer support payment", for "carer's assistance" substitute "the carer support payment component of carer support".

(3) In regulation 100(b) (modification in the calculation of income), for "payment" in the second place it appears substitute "given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023".

(**a**) S.R. 2015 No. 315; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**b**) S.R. 2016 No. 216, amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**c**) S.R. 2016 No. 218; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.
(**d**) S.R. 2016 No. 219; amended by S.I. 2023/1218; there are other amending instruments but none is relevant.

Amendment of the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016

55. In the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016(**a**), in Schedule 2 (claimants previously entitled to a severe disability premium), in paragraph 8(3), for "carer's assistance" substitute "the carer support payment component of carer support".

PART 5

England and Wales and Scotland and Northern Ireland

Amendment of the Social Security (Contributions) Regulations 2001

56. In the Social Security (Contributions) Regulations 2001(**b**), in regulation 43(1) (exception from Class 2 contributions), for sub-paragraph (e) substitute—

> "(e) in respect of any part of which the earner is in receipt of carer's allowance, the carer support payment component of carer support given in accordance with the Carer's Assistance (Carer Support Payment) (Scotland) Regulations or an unemployability supplement.".

Name
Secretary of State
Scotland Office

(**a**) S.R. 2016 No. 226; relevant amending instruments are S.R 2019 No. 152, S.R. 2021 No. 2, 2023 No. 93 and S.I. 2023/1218.
(**b**) S.I. 2001/1004; relevant amending instruments are S.I. 2002/2924 and 2023/1218.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments in consequence of regulations made under section 28 (carer's assistance) of the Social Security (Scotland) Act 2018 (asp 9). Those regulations are the Carer's Assistance (Carer Support Payment) Regulations 2023 (SSI 2023/302) ("2023 Regulations") and the Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 (SSI 2025/340) ("2025 Regulations").

The 2023 Regulations introduced arrangements for the payment of carer's assistance in Scotland in the form of "carer support payment". The carer support payment replaced the carer's allowance for carers residing in Scotland.

The 2025 Regulations amended the 2023 Regulations to introduce "carer support", which consists of i) "carer support payment", ii) "Scottish carer supplement", and iii) "carer additional person payment" where there is an additional person cared for by the carer support recipient. They also amended the 2023 Regulations to provide that carers in receipt of carer support (consisting of all applicable components) will continue to receive that benefit after the death of their cared-for person for twelve weeks instead of eight weeks.

This Order does the following.

It makes amendments to defined terms in social security legislation to reflect the introduction of carer support payment by the 2023 Regulations, and the subsequent introduction of carer support and its three components by the 2025 Regulations.

For carers in receipt of carer support payment (as introduced by the 2025 Regulations) who receive a resultant carer premium attached to certain reserved benefits, the period that they receive the carer premium after their cared-for person dies is being extended from eight weeks to twelve weeks. The reserved benefits this will apply to are Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, Pension Credit and Housing Benefit.

It amends social security legislation to set out the extent to which carer support (as introduced by the 2025 Regulations) is to be taken into account in the calculation of capital and income for the purpose of determining entitlement to Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, Pension Credit and Housing Benefit.

A full Impact Assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary or public sectors is foreseen.

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