Draft Order laid before the Scottish Parliament under sections 150(2), 150A(2) and 190(1)(a) of the Social Security Administration Act 1992, for approval by resolution of the Scottish Parliament.

D R A F T S C O T T I S H S T A T U T O R Y I N S T R U M E N T S

2025 No.

SOCIAL SECURITY

The Social Security Up-rating (Scotland) Order 2025

Made - - - - 2025

Coming into force in accordance with article 1

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 150(9) and 150A(6) of the Social Security Administration Act 1992(**a**) and all other powers enabling them to do so.

As required by section 150(1)(a)(i), (b) and (o)(**b**) of that Act, the Scottish Ministers have carried out a review and it appeared to them that the general level of prices was greater at the end of the period under review than it was at the beginning of the period.

As required by section 150A(1)(c) of that Act, the Scottish Ministers have carried out a review and it appeared to them that the general level of earnings was greater at the end of the period under review than it was at the beginning of the period.

In accordance with sections 150(2), 150A(2) and 190(1)(a)(**c**) of that Act a draft of this Order has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Social Security Up-rating (Scotland) Order 2025.

(**a**) 1992 c. 5 ("the Administration Act"). Section 150A was inserted by section 5(1) of the Pensions Act 2007 (c. 22). The functions under sections 150 and 150A of the Administration Act relating to making an order to up-rate or re-state the rate of carer's, disability and industrial injuries benefits transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46) as read with sections 22(2) and 32 of the Scotland Act 2016 (c. 11). Section 189(1), (4) and (5) of the Administration Act make provision about the exercise of the powers conferred by that Act. Section 189(8) of the Administration Act provides that an order under section 150 or 150A shall not be made without the consent of the Treasury. The requirement for Scottish Ministers to obtain Treasury consent was removed by section 55 of the Scotland Act 1998. Sections 150(8) and 150A(5) of the Administration Act require that a copy of a report by the Government Actuary or the Deputy Government Actuary giving that Actuary's opinion on the likely effect on the National Insurance Fund of such parts of the order as relate to sums payable out of that Fund, is laid with the relevant order. This Order makes no changes regarding sums payable out of that Fund and accordingly no report from the Government Actuary or Deputy Government Actuary requires to be laid with this order.

(**b**) Paragraph (a)(i) was substituted by section 6(2)(a) of the Pensions Act 2007 (c. 22) and paragraph (o) was inserted by paragraph 17 of schedule 9 of the Welfare Reform Act 2012 (c. 5). The benefits which must be uprated are specified in section 150(3)(a) of the Administration Act. Section 150(3)(a) was relevantly amended by section 9(4) of the Social Security (Incapacity for Work) Act 1994 (c. 18) and section 6(3)(a) of the Pensions Act 2007 (c. 22).

(**c**) Section 190(1)(a) was relevantly amended by paragraph 30 of schedule 1 of the Pensions Act 2007 (c. 22).

(2) Subject to paragraphs (3) and (4), this Order comes into force on 1 April 2025(**a**).

(3) Articles 2, 3, 4, 6, 7 and 8 come into force on 7 April 2025.

(4) Article 5 comes into force on 10 April 2025.

(5) In this Order "the 1992 Act" means the Social Security Contributions and Benefits Act 1992(**b**).

Rate of attendance allowance and date on which changes take effect

2.—(1) In the table in Part III (non-contributory periodical benefits) of schedule 4 (rates of benefits, etc) of the 1992 Act(**c**)—

(a) in paragraph (a) of entry 1 (higher weekly rate of attendance allowance), for "£108.55" substitute "£110.40",

(b) in paragraph (b) of entry 1 (lower weekly rate of attendance allowance), for "£72.65" substitute "£73.90".

(2) The increases made by paragraph (1) take effect on 7 April 2025.

Rate of severe disablement allowance and age related addition and date on which changes take effect

3.—(1) In the table in Part III (non-contributory periodical benefits) of schedule 4 (rates of benefits, etc) of the 1992 Act(**d**)—

(a) in entry 2 (weekly rate of severe disablement allowance), for "£98.40" substitute "£100.05",

(b) in entry 3—

(i) in paragraph (a) (higher weekly rate of the age related addition), for "£14.70" substitute "£14.95",

(ii) in paragraph (b) (middle weekly rate of the age related addition), for "£8.15" substitute "£8.30",

(iii) in paragraph (c) (lower weekly rate of the age related addition), for "£8.15" substitute "£8.30.".

(2) The increases made by paragraph (1) take effect on 7 April 2025.

Rate of carer's allowance and date on which changes take effect

4.—(1) In entry 4 (weekly rate of carer's allowance) of the table in Part III (non-contributory periodical benefits) of schedule 4 (rates of benefits, etc) of the 1992 Act(**e**) for "£81.90" substitute "£83.30".

(2) The increase made by paragraph (1) takes effect on 7 April 2025, subject to paragraph (3).

(3) Where arrangements have been made by or on behalf of the Scottish Ministers for carer's allowance to be paid on a Wednesday, the increase takes effect on 9 April 2025.

(**a**) Sections 150(10) and 150A(7) of the Social Security Administration Act 1992 make provision on the bringing into force of an order under sections 150 or 150A. Section 150(10) was relevantly amended by section 30(1)(a) and paragraph 21 of schedule 1 of the Pensions Act 2007 (c. 22) and S.I. 2014/2888. Section 150A(7) was amended by S.I. 2014/2888.

(**b**) 1992 c. 4.

(**c**) Part III of schedule 4 was relevantly amended by S.S.I. 2024/106.

(**d**) Part III of schedule 4 was relevantly amended by S.S.I. 2024/106.

(**e**) Part III of schedule 4 was relevantly amended by S.I. 2002/1457 and S.S.I. 2024/106.

Rate for adult dependants payable with severe disablement allowance and date on which changes take effect

5.—(1) In entry 8 (severe disablement allowance) of the table in Part IV (increases for dependants) of schedule 4 (rates of benefits, etc) of the 1992 Act(**a**) for "48.40" substitute "49.20".

(2) The increase made by paragraph (1) takes effect on 10 April 2025.

Rates of industrial injuries benefit and date on which changes take effect

6.—(1) The sums specified in Part V (rates of industrial injuries benefit) of schedule 4 (rates of benefits, etc) of the 1992 Act(**b**) are amended so that Part V has effect as set out in the schedule of this Order.

(2) The increases made by paragraph (1) take effect on 7 April 2025 except those set out in the following entries in the schedule which take effect on 9 April 2025—

(a) entry 1 (the weekly rates of disablement pension),

(b) entry 4 (the maximum of aggregate of weekly benefit payable for successive accidents under section 107(1) of the 1992 Act),

(c) entries 7, 8 and 12 (increases in disablement pension and industrial death benefit in respect of dependants),

(d) entry 9 (the maximum disablement gratuity under paragraph 9(2) of schedule 7 of the 1992 Act),

(e) entries 10 and 11 (the weekly rates of industrial death benefit by way of widow's and widower's pension).

Rate of disability living allowance

7. In regulation 4 (rate of benefit) of the Social Security (Disability Living Allowance) Regulations 1991(**c**)—

(a) in paragraph (1)—

(i) in sub-paragraph (a), for "£108.55" substitute "£110.40",

(ii) in sub-paragraph (b), for "£72.65" substitute "£73.90",

(iii) in sub-paragraph (c), for "£28.70" substitute "£29.20",

(b) in paragraph (2)—

(i) in sub-paragraph (a) for "£75.75" substitute "£77.05",

(ii) in sub-paragraph (b), for "£28.70" substitute "£29.20".

Rate of personal independence payment

8. In regulation 24 (rate of personal independence payment) of the Social Security (Personal Independence Payment) Regulations 2013(**d**)—

(a) in paragraph (1)—

(i) in sub-paragraph (a), for "£72.65" substitute "£73.90",

(ii) in sub-paragraph (b), for "£108.55" substitute "£110.40",

(b) in paragraph (2)—

(i) in sub-paragraph (a), for "£28.70" substitute "£29.20",

(**a**) Part IV of schedule 4 was relevantly amended by S.S.I. 2024/106.
(**b**) Part V of schedule 4 was relevantly amended by paragraph 15(3) of schedule 1 of the Child Benefit Act 2005 (c. 6), section 65(2) and (3) of the Welfare Reform Act 2012 (c. 5), and S.S.I. 2024/106.
(**c**) S.I. 1991/2890, relevant amending instruments are S.I. 1993/1939 and S.S.I. 2024/106.
(**d**) S.I. 2013/377, relevant amending instrument is S.S.I. 2024/106.

(ii) in sub-paragraph (b), for "£75.75" substitute "£77.05".

Name
A member of the Scottish Government

St Andrew's House,
Edinburgh
Date

SCHEDULE

Article 6

INCREASES TO PART V OF SCHEDULE 4 OF THE 1992 ACT

<table>
<tr><th>Description of benefit, etc.</th><th colspan="3">Rate</th></tr>
<tr><td>1. Disablement pension (weekly rates).</td><td colspan="3">For the several degrees of disablement set out in column (1) of the following Table, the respective amounts in column (2) of that Table.
TABLE
Degree of disablement — Amount
(1) — (2)
Percent — £
100 — £225.30
90 — £202.77
80 — £180.24
70 — £157.71
60 — £135.18
50 — £112.65
40 — £90.12
30 — £67.59
20 — £45.06</td></tr>
<tr><td>2. Maximum increase of weekly rate of disablement pension where constant attendance needed.</td><td>(a)</td><td>except in cases of exceptionally severe disablement</td><td>£90.20,</td></tr>
<tr><td></td><td>(b)</td><td>in any case</td><td>£180.40.</td></tr>
<tr><td>3. Increase of weekly rate of disablement pension (exceptionally severe disablement).</td><td colspan="2"></td><td>£90.20.</td></tr>
<tr><td>4. Maximum of aggregate of weekly benefit payable for successive accidents.</td><td colspan="2"></td><td>£225.30.</td></tr>
<tr><td>5. Unemployability supplement under paragraph 2 of Schedule 7.</td><td colspan="2"></td><td>£139.35.</td></tr>
<tr><td>6. Increase under paragraph 3 of Schedule 7 of weekly rate of unemployability supplement.</td><td>(a)</td><td>if on the qualifying date the beneficiary was under the age of 35 or if that date fell before 5th July 1948</td><td>£28.90,</td></tr>
<tr><td></td><td>(b)</td><td>if head (a) above does not apply and on the qualifying date the beneficiary was under the age of 40 and had not attained pensionable age before 6th April 1979</td><td>£28.90,</td></tr>
<tr><td></td><td>(c)</td><td>if heads (a) and (b) above do not apply and on the qualifying date the beneficiary was under the age of 45</td><td>£18.50,</td></tr>
<tr><td></td><td>(d)</td><td>if heads (a), (b) and (c) above do not apply and on the</td><td>£18.50,</td></tr>
</table>

		qualifying date the beneficiary was under the age of 50 and had not attained pensionable age before 6th April 1979	
	(e)	in any other case	£9.25.
7. Increase under paragraph 4 of Schedule 7 of weekly rate of disablement pension.			£11.35.
8. Increase under paragraph 6 of Schedule 7 of weekly rate of disablement pension.			£83.30.
9. Maximum disablement gratuity under paragraph 9 of Schedule 7.			£14,950.00.
10. Widow's pension (weekly rates).	(b)	higher permanent rate	£176.45.
	(c)	lower permanent rate	
		30 per cent of the first sum specified in section 44(4) (Category A basic retirement pension) (the appropriate rate being determined in accordance with paragraph 16 of Schedule 7)	
11. Widower's pension (weekly rate).			£176.45.
12. Weekly rate of allowance in respect of children and qualifying young persons under paragraph 18 of Schedule 7.	In respect of each child or qualifying young person		£11.35.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for an increase in the various rates of carer's allowance, attendance allowance, disability living allowance, industrial injuries disablement benefit, industrial death benefit, severe disablement allowance, and personal independence payment. Articles 2, 3, 4, 6, 7 and 8 come into force on 7 April 2025 and Article 5 comes into force on 10 April 2025. Article 1 comes into force on 1 April 2025. Articles 4 and 6 set out the dates on which certain increases take effect.

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