STATUTORY INSTRUMENTS

2025 No. 227

CONSTITUTIONAL LAW

DEVOLUTION

SOCIAL SECURITY

The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order 2025

Made - - - -	*27th February 2025*
Laid before Parliament	*28th February 2025*
Coming into force - -	*21st March 2025*

The Secretary of State makes this Order in exercise of the powers conferred by sections 104, 112(1) and 113(2) and (3) of the Scotland Act 1998(**a**).

PART 1

Citation, commencement and extent

Citation, commencement and extent

1.—(1) This Order may be cited as the Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order 2025 and comes into force on 21st March 2025.

(2) Part 1 of this Order extends to England and Wales, Scotland and Northern Ireland.

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

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

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

(**a**) 1998 c. 46. Section 104 was amended by section 12 of the Scotland Act 2012 (c. 11).

PART 2

England and Wales

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

2.—(1) The Social Security (Invalid Care Allowance) Regulations 1976(**a**) are amended as follows.

(2) In regulation 9(2)(b) (conditions relating to residence and presence in Great Britain)—

(a) after paragraph (ii), insert—

"(iia) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025(**b**);";

(b) omit the "or" after paragraph (iiia);

(c) after paragraph (iv), insert—

";

(iva) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the Disability Assistance for Children and Young People (Scotland) Regulations 2021(**c**); or

(ivb) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the Disability Assistance for Working Age People (Scotland) Regulations 2022(**d**).".

Amendment of the Social Security (Disability Living Allowance) Regulations 1991

3.—(1) The Social Security (Disability Living Allowance) Regulations 1991(**e**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of "the run-on period", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 2 (conditions as to residence and presence in Great Britain), after paragraph (1ZB), insert—

"(1ZC) A person to whom regulation 48(1) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 applies shall be treated for the period set out in that regulation as though he does not satisfy the condition in paragraph (1)(a)(i) of this regulation.".

(**a**) S.I. 1976/409; relevant amending instruments are S.I. 2013/388 and 2013/591. There are also amendments made to regulation 9 by S.S.I. 2023/346, 2024/311 and 2024/141, but they extend to, and apply in, Scotland only.
(**b**) S.S.I. 2025/3.
(**c**) S.S.I. 2021/174.
(**d**) S.S.I. 2022/54.
(**e**) S.I. 1991/2890; relevant amending instruments are S.I. 1999/2860, 1993/1939, 2022/177, 2022/335 and 2023/664.

(4) In regulation 6(1) (qualifying period for care component after an interval), after "disability living allowance," in the first place it appears, insert "or the care component of Scottish adult disability living allowance,".

(5) In regulation 11 (qualifying period for mobility component after an interval), after "disability living allowance," in the first place it appears, insert "or the mobility component of Scottish adult disability living allowance,".

(6) In Schedule 1 (persons aged 65 and over)—

(a) in paragraph 3(2), after "care component" in the first place it appears, insert ", or the care component of Scottish adult disability living allowance,";

(b) in paragraph 3(3)(a), after "attendance allowance", insert "or to the care component of Scottish adult disability living allowance";

(c) in paragraph 5(1), after "regulation 4(2)(a)", insert "or the mobility component of Scottish adult disability living allowance payable at the higher rate specified in regulation 29(2)(b) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(d) in paragraph 5(3)(a), after "mobility component", insert "or the mobility component of Scottish adult disability living allowance";

(e) in paragraph 6(1), after "regulation 4(2)", insert "or the mobility component of Scottish adult disability living allowance payable at the lower rate specified in regulation 29(2)(a) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(f) in paragraph 7(1), after "mobility component", insert "or the mobility component of Scottish adult disability living allowance".

Amendment of the Social Security (Personal Independence Payment) Regulations 2013

4.—(1) The Social Security (Personal Independence Payment) Regulations 2013(**a**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in the definition of "prescribed date", for "or 15A" substitute ", 15A or 15B";

(b) after the definition of "revised", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 14 (the prescribed date), in the words before paragraph (a), for "or paragraph (2) or (3) of regulation 15A" substitute ", paragraph (2) or (3) of regulation 15A or paragraph (2) or (3) of regulation 15B".

(4) In regulation 15A (the prescribed date: claims for personal independence payment after award of child disability payment)—

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

(b) after paragraph (4), insert—

> "(5) Where C makes the new claim during the 13 week period provided for in regulation 36 of the Disability Assistance for Children and Young People (Scotland) Regulations 2021, for the purpose of this regulation the previous award of child disability payment is to be treated as having ended immediately before C made the new claim.".

(**a**) S.I. 2013/377, amended by S.I. 2022/177; there are other amending instruments but none is relevant.

(5) After regulation 15A, insert—

"The prescribed date: claims for personal independence payment after award of Scottish Adult Disability Living Allowance

15B.—(1) Paragraphs (2), (3), (4), (5) and (6) apply where—

(a) C makes a claim for personal independence payment ("the new claim"),

(b) C had a previous award of Scottish adult disability living allowance which ended not more than 2 years before the date on which the new claim is made,

(c) C has not been entitled to personal independence payment on any day since the end of the award of Scottish adult disability living allowance referred to in sub-paragraph (b), and

(d) C was 64 years old or younger on 8th April 2013.

(2) In relation to determination of entitlement under the new claim—

(a) the prescribed date for the purposes of regulations 12(1)(a) and (2)(a) and 13(1)(a) and (2)(a) is the date on which the previous award ended where that award was in respect of Scottish adult disability living allowance, and

(b) regulations 12(1)(b) and (2)(b) and 13(1)(b) and (2)(b) have effect in relation to the new claim as if for the words "the prescribed date" there were substituted "the date on which the new claim for personal independence payment is made".

(3) Where C is awarded either or both components under the new claim, in relation to continued entitlement to that component or, as the case may be, those components, for the period of 3 months following the date of the new claim—

(a) the prescribed date for the purposes of regulations 12(1)(a) and (2)(a) and 13(1)(a) and (2)(a) is the date on which the previous award ended where that award was in respect of Scottish disability living allowance, and

(b) regulations 12(1)(b) and (2)(b) and 13(1)(b) and (2)(b) have effect in relation to that award as if for the words "the prescribed date" there were substituted "each day of the award".

(4) C is to be regarded as meeting such of the conditions contained in the following provisions of these Regulations (as modified by paragraphs (2) and (3) above) as are relevant to C's new claim, regardless of whether those conditions have been met—

(a) in regulation 12 (required period condition: daily living component), paragraph (1)(a) or (2)(a);

(b) in regulation 13 (required period condition: mobility component), paragraph (1)(a) or (2)(a).

(5) This regulation is subject to regulation 26A (claim for personal independence payment after an award of Scottish adult disability living allowance and after reaching the relevant age).

(6) Where C makes the new claim during the 13 week period provided for in regulation 48 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, for the purpose of this regulation the previous award of Scottish adult disability living allowance is to be treated as having ended immediately before C made the new claim.".

(6) After regulation 26 (claim for personal independence payment after an interval and after reaching the relevant age), insert—

"Claim for personal independence payment after an award of Scottish adult disability living allowance and after reaching the relevant age

26A.—(1) Where C has reached the relevant age and makes a new claim in the circumstances set out in regulation 15B(1) the following exceptions apply.

(2) The exceptions referred to in paragraph (1) are—

(a) section 83(1) of the Act (persons of pensionable age) does not apply;

(b) the reference to '2 years' in regulation 15B(1)(b) is to be read as '1 year'.".

PART 3

England and Wales and Scotland

Amendment of the Income Support (General) Regulations 1987

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

(2) In regulation 2(1) (interpretation), after the definition of "remunerative work", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025(**b**);".

(3) In paragraph 4(a) of Schedule 1B (prescribed categories of person)—

(a) in paragraph (i), after "Contributions and Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (iii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In Schedule 2 (applicable amounts)—

(a) in paragraph 7(2), after "Social Security Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph 10(1)(b)(i), for "or (e)" substitute ", (e) or (f)";

(c) in paragraph 11(1)(b)—

(i) in sub-paragraph (i), for "or (d)" substitute ", (d) or (f)";

(ii) in sub-paragraph (ii), for "or (e)" substitute ", (e) or (f)";

(d) in paragraph 12(1)—

(i) in paragraph (a)(i), after "disability living allowance", insert ", Scottish adult disability living allowance";

(ii) after paragraph (e), insert—

"; or

(**a**) S.I. 1987/1967; relevant amending instruments are S.I. 1988/663, 1990/1776, 1991/2742, 1993/518, 1993/1150, 1994/2139, 1995/482, 1995/1613, 1995/2927, 1996/206, 1996/1517, 2000/681, 2000/2629, 2002/2497, 2002/3019, 2003/455, 2003/1121, 2003/2379, 2007/719, 2008/3157, 2009/1488, 2013/388, 2013/591, 2021/786, 2022/177, 2023/1218 and 2024/919.

(**b**) S.S.I. 2025/3.

(f) except where paragraph 2A of Schedule 7 (patients) applies, the claimant or, as the case may be, the claimant's partner was in receipt of Scottish adult disability living allowance—

(i) but no amount is payable in accordance with regulation 23 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance), and

(ii) a higher pensioner premium or disability premium has been applicable to the claimant.";

(e) in paragraph 13—

(i) in sub-paragraphs (2)(a)(i), (2)(b)(i) and (3)(a), after "Social Security Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (3A)(e), insert—

";

(f) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if they would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(f) in paragraph 13A(1ZA), after paragraph (ba), insert—

"(bb) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable to that person at the highest rate in accordance with regulation 6(4) of those Regulations;".

(5) In paragraph 18 of Schedule 3 (housing costs)—

(a) after sub-paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance;";

(b) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(6) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 6, after "disability living allowance", insert ", the mobility component of Scottish adult disability living allowance";

(b) in paragraph 9, after "disability living allowance", insert ", the care component of Scottish adult disability living allowance".

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

6.—(1) The Social Security (Claims and Payments) Regulations 1987(**a**) are amended as follows.

(2) In regulation 6 (date of claim)—

(**a**) S.I. 1987/1968; relevant amending instruments are S.I. 2006/2377, 2022/177 and 2024/919.

(a) in paragraph (20)(c)—

(i) omit the "or" after paragraph (iv);

(ii) after paragraph (v), insert—

", or

(vi) regulation 22 (effect of admission to a care home on ongoing entitlement to care component) or, as the case may be, regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 because the claimant is, respectively, a resident of a care home or undergoing treatment in a hospital.";

(b) in paragraph (38)(b)—

(i) omit the "or" after paragraph (ii);

(ii) after paragraph (iii), insert—

"; or

(iv) Scottish adult disability living allowance within the meaning of regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

Amendment of the Jobseeker's Allowance Regulations 1996

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

(2) In regulation 1(3) (citation, commencement, interpretation and application), after the definition of "sandwich course", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 51(3)(c) (remunerative work)—

(a) in paragraph (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In regulation 140(1)(h) (meaning of "person in hardship")—

(a) in paragraph (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In regulation 146A(1)(e) (meaning of "couple in hardship")—

(a) in paragraph (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with

(**a**) S.I. 1996/207; relevant amending instruments are S.I. 1996/1516, 2000/681, 2000/1978, 2000/2629, 2003/511, 2008/2767, 2013/388, 2013/591, 2021/786, 2022/177, 2022/530, 2023/1218 and 2024/919.

regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(6) In paragraph 3(a) of Schedule A1 (categories of members of a joint-claim couple who are not required to satisfy the conditions in section 1(2B)(b))—

(a) in paragraph (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (iv), after "child disability payment", insert ", Scottish adult disability living allowance".

(7) In Schedule 1 (applicable amounts)—

(a) in paragraph 8(2), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph 14(1)—

(i) after paragraph (cb), insert—

"(cc) the claimant or, as the case may be, the claimant's partner, is in receipt of Scottish adult disability living allowance or is a person whose Scottish adult disability living allowance is payable, in whole or in part, to another in accordance with regulation 28 (making payments) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after paragraph (fb), insert—

"(fc) the claimant or, as the case may be, the claimant's partner, is a person who is entitled to the mobility component of Scottish adult disability living allowance but to whom the component is not payable in accordance with regulation 29(6) (amount and form of Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(iii) omit the "or" after paragraph (g)(iv);

(iv) after paragraph (g)(v), insert—

"or

(vi) entitled to Scottish adult disability living allowance but no amount is payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,";

(v) in the words after the new paragraph (g)(vi), for "(v)" substitute "(vi)";

(c) in paragraph 15—

(i) in sub-paragraphs (1)(a), (2)(a) and (4)(a), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) in sub-paragraph (5), after paragraph (ac), insert—

"(ad) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 if they would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt;";

(d) in paragraph 15A(1ZA), after paragraph (aa), insert—

"(ab) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable to that person at the highest rate in accordance with regulation 6(4) of those Regulations; or";

(e) in paragraph 20D(2), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(f) in paragraph 20H(1)—

(i) after paragraph (caa), insert—

"(cab) is in receipt of Scottish adult disability living allowance or is a person whose Scottish adult disability living allowance is payable, in whole or in part, to another in accordance with regulation 28 (making payments) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after paragraph (gb), insert—

"(gc) is a person who is entitled to the mobility component of Scottish adult disability living allowance but to whom the component is not payable in accordance with regulation 29(6) (amount and form of Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(iii) omit the "or" after paragraph (h)(i);

(iv) omit the "or" after paragraph (h)(iii);

(v) after paragraph (h)(iv), insert—

"or

(v) entitled to Scottish adult disability living allowance but no amount is payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,";

(vi) in the words after the new paragraph (h)(v), for "(iv)" substitute "(v)".

(g) in paragraph 20I—

(i) in sub-paragraphs (1)(a) and (3)(a), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (4)(d), insert—

";

(e) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 if they would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(h) in paragraph 20IA—

(i) omit the "or" after sub-paragraph (1)(a);

(ii) after sub-paragraph (1)(a), insert—

"(aa) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable at the highest rate in accordance with regulation 6(4) of those Regulations; or".

(8) In paragraph 17 of Schedule 2 (housing costs)—

(a) after sub-paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance, or";

(b) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

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

8.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations 1999(**a**) are amended as follows.

(2) In regulation 1(3) (citation, commencement, application and interpretation), in the definition of "Scottish disability benefit"—

(a) omit the "or" after sub-paragraph (b);

(b) after sub-paragraph (c), insert—

"or

(d) Scottish adult disability living allowance within the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025(**b**);".

(3) In paragraph 3 of Schedule 3A (date from which superseding decision takes effect)—

(a) omit the "or" after sub-paragraph (h);

(b) after sub-paragraph (h), insert—

"(ha) regulation 22 (effect of admission to a care home on ongoing entitlement to care component) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 applies, or ceases to apply, to the claimant for a period of less than one week;";

(**a**) S.I. 1999/991; relevant amending instruments are S.I. 2000/1596, 2002/3019, 2006/2377, 2008/1554, 2013/2536, 2013/381, 2013/388, 2013/443, 2022/177 and 2024/919.
(**b**) S.S.I. 2025/3.

(c) after sub-paragraph (i), insert—

"; or

(j) regulation 28 (effect of admission to hospital on ongoing entitlement to adult disability payment) of the Disability Assistance for Working Age People (Scotland) Regulations 2022 applies, or ceases to apply, to the claimant for a period of less than one week.".

(4) In paragraph 2(b) of Schedule 3B (date on which change of circumstances takes effect where claimant entitled to state pension credit)—

(a) omit the "or" after paragraph (vi);

(b) after paragraph (vi), insert—

"(vii) the care component of Scottish adult disability living allowance at the middle or higher rate under the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025; or".

(5) In paragraph 3 of Schedule 3C (date from which change of circumstances takes effect where claimant entitled to employment and support allowance)—

(a) omit the "or" after sub-paragraph (f);

(b) after sub-paragraph (f), insert—

"(fa) regulation 22 (effect of admission to a care home on ongoing entitlement to care component) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 applies, or ceases to apply, to the claimant for a period of less than one week;";

(c) after sub-paragraph (g), insert—

"; or

(h) regulation 27 (effect of admission to a care home on ongoing entitlement to daily living component) of the Disability Assistance for Working Age People (Scotland) Regulations 2022 applies, or ceases to apply, to the claimant for a period of less than one week;".

Amendment of the Social Security (Loss of Benefit) Regulations 2001

9.—(1) The Social Security (Loss of Benefit) Regulations 2001(**a**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of "relevant authority", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 5(1)(h) (meaning of "person in hardship")—

(a) in paragraph (i), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(**a**) S.I. 2001/4022; relevant amending instruments are S.I. 2010/1160, 2013/385, 2013/591 and 2024/919.

(4) In regulation 11(2)(e) (meaning of "couple in hardship")—

(a) in paragraph (i), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

Amendment of the State Pension Credit Regulations 2002

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

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of "qualifying person", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In Schedule 1 (additional amounts)—

(a) in paragraph 1—

(i) in sub-paragraphs (1)(a)(i), (b)(i), (c)(i) and (2)(a), after "the 1992 Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (2)(bc), insert—

"(bd) for the purposes of sub-paragraph (1)(b) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if that person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt;";

(b) in paragraph 2(2)(a), after "the 1992 Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(4) In paragraph 14 of Schedule 2 (housing costs)—

(a) after sub-paragraph (6)(b)(ii), insert—

"(iia) the care component of Scottish adult disability living allowance;";

(b) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In paragraph 9 of Schedule 2A (additional amount applicable for claimants responsible for a child or qualifying young person)—

(a) in sub-paragraph (2), after "disability living allowance", insert ", Scottish adult disability living allowance";

(**a**) S.I. 2002/1792; relevant amending instruments are S.I. 2004/1141, 2005/3391, 2010/641, 2011/2425, 2013/388, 2013/591, 2015/1754, 2017/329, 2017/689, 2017/870, 2018/676, 2020/618, 2021/786, 2021/1405, 2022/177, 2023/1144, 2023/1218, 2023/640 and 2024/919.

(b) in sub-paragraph (3)(a), after "at the highest rate", insert ", the care component of Scottish adult disability living allowance at the highest rate".

(6) In paragraph 1(9) of Schedule 3 (special groups), after "the 1992 Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(7) In paragraph 4(1)(a) of Schedule 6 (sums disregarded from claimant's earnings), after sub-paragraph (iv), insert—

"(iva) Scottish adult disability living allowance;".

Amendment of the Housing Benefit Regulations 2006

11.—(1) The Housing Benefit Regulations 2006(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of "member of a couple who cannot share a bedroom", after sub-paragraph (a)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in the definition of "person who requires overnight care"—

(i) after sub-paragraph (a)(iiza), insert—

"(iizb) is in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) in sub-paragraph (a)(iii), after "(iiza)", insert ", (iizb)";

(c) after the definition of "Rent Officers Order", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 28(11) (treatment of child care charges)—

(a) in sub-paragraph (d), after paragraph (iva), insert—

"(ivb) Scottish adult disability living allowance;";

(b) after sub-paragraph (ea), insert—

"(eb) Scottish adult disability living allowance was payable on account of his incapacity but has ceased to be payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(4) In regulation 74 (non-dependant deductions)—

(a) after paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance;";

(**a**) S.I. 2006/213; relevant amending instruments are S.I. 2007/2868, 2008/1082, 2009/583, 2010/2835, 2012/2994, 2013/388, 2013/591, 2015/1754, 2017/213, 2021/786, 2021/1188, 2022/177, 2023/1218 and 2024/919.

(b) in paragraph (9)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In regulation 75F(1) (exception to the benefit cap: receipt of specified benefit)—

(a) after sub-paragraph (eza), insert—

"(ezb) the claimant, the claimant's partner or a young person for whom the claimant or the claimant's partner is responsible, is receiving Scottish adult disability living allowance;";

(b) in sub-paragraph (f)—

(i) in the words before paragraph (i), after "(eza)", insert ", (ezb)";

(ii) after paragraph (iii), insert—

"(iiia) in the case of Scottish adult disability living allowance, that allowance is not payable in accordance with regulation 22 (effect of admission to a care home on ongoing entitlement to care component) or regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(6) In Schedule 3 (applicable amounts)—

(a) in paragraph 7(2), after "section 72(3) of the Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph 13(1)(a)—

(i) in sub-paragraph (i), after "disability living allowance", insert ", Scottish adult disability living allowance";

(ii) after sub-paragraph (iiic), insert—

"or

(iiid) was in receipt of Scottish adult disability living allowance that is no longer payable by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025; or";

(c) in paragraph 14—

(i) in sub-paragraphs (2)(a)(i), (2)(b)(i) and (4)(a), after "section 72(3) of the Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (5)(e), insert—

";

(f) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if that person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(d) after the "or" following paragraph 15(1)(ba), insert—

"(bb) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable at the highest rate in accordance with regulation 6(4) of those Regulations in respect of—

(i) the claimant; or

(ii) a member of the claimant's family,

who has not attained the qualifying age for state pension credit; or";

(e) after the "or" following paragraph 16(aa), insert—

"(ab) is a young person who is in receipt of Scottish adult disability living allowance or who would, but for payment ceasing by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 be so in receipt, provided that the young person continues to be a member of the family; or".

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

12.—(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)—

(a) in the definition of "member of a couple who cannot share a bedroom", after sub-paragraph (a)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025(**b**);";

(b) in the definition of "person who requires overnight care"—

(i) after sub-paragraph (a)(iiza), insert—

"(iizb) is in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) in sub-paragraph (a)(iii), after "(iiza)", insert ", (iizb)";

(c) after the definition of "savings credit", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 31(11) (treatment of child care charges)—

(a) after sub-paragraph (d)(iv), insert—

"(iva) Scottish adult disability living allowance;";

(**a**) S.I. 2006/214; relevant amending instruments are S.I. 2007/2869, 2010/2835, 2013/388, 2013/591, 2015/1754, 2017/213, 2021/786, 2022/177, 2023/1218 and 2024/919.
(**b**) S.S.I. 2025/3.

(b) after sub-paragraph (ea), insert—

"(eb) Scottish adult disability living allowance was payable on account of his incapacity but has ceased to be payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(4) In regulation 55 (non-dependant deductions)—

(a) after paragraph (6)(b)(ii), insert—

"(iia) the care component of Scottish adult disability living allowance;";

(b) in paragraph (10)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In Schedule 3 (applicable amounts)—

(a) after paragraph 5(2)(b), insert—

"(ba) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in paragraph 6—

(i) in sub-paragraphs (2)(a)(i), (2)(b)(i) and (6)(a), after "section 72(3) of the Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (7)(e), insert—

";

(f) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if that person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(c) after the "or" following paragraph 7(1)(aa), insert—

"(ab) the care component of Scottish adult disability living allowance is payable, or has ceased to be payable by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, at the highest rate in accordance with regulation 6(4) of those Regulations; or";

(d) after the "or" following paragraph 8(aa), insert—

"(ab) is a young person who is in receipt of Scottish adult disability living allowance or who would, but for payment ceasing by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 be so in receipt, provided that the young person continues to be a member of the family; or".

(6) In paragraph 5(1)(a) of Schedule 4 (sums disregarded from claimant's earnings), after sub-paragraph (iv), insert—

"(iva) Scottish adult disability living allowance;".

Amendment of the Employment and Support Allowance Regulations 2008

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

(2) In regulation 2 (interpretation), after the definition of "remunerative work", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 18 (circumstances in which the condition that the claimant is not receiving education does not apply), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In regulation 158 (meaning of "person in hardship")—

(a) in paragraphs (3)(c) and (3)(d)(ii), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph (7)—

(i) omit the "or" after sub-paragraph (a);

(ii) after sub-paragraph (b), insert—

"; or

(c) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

(5) In Schedule 4 (amounts)—

(a) after paragraph 4(2)(b), insert—

"(ba) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in paragraph 6—

(i) in sub-paragraphs (2)(a)(i), (2)(b)(i), (2)(b)(ii), and (4)(a) after "adult disability payment", in each place it appears, insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (5)(e), insert—

";

(f) as being in receipt of Scottish adult disability living allowance if the person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be so in receipt.";

(c) after paragraph 7(1)(b), insert—

(**a**) S.I. 2008/794; relevant amending instruments are S.I. 2008/2428, 2011/2425, 2011/2428, 2013/388, 2013/591, 2021/786, 2022/177, 2023/1218 and 2024/919.

"(ba) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable at the highest rate in accordance with regulation 6(4) of those Regulations in respect of—

(i) the claimant; or

(ii) the claimant's partner (if any) who is aged less than the qualifying age for state pension credit;".

(6) In Schedule 6 (housing costs)—

(a) in paragraph 15(11)(b), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph 19—

(i) after sub-paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance;";

(ii) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

Amendment of the Child Support Maintenance Calculation Regulations 2012

14.—(1) The Child Support Maintenance Calculation Regulations 2012(**a**) are amended as follows.

(2) In regulation 64 (illness or disability of relevant other child)—

(a) in paragraph (2)(a)(i), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) omit the "or" after paragraph (2)(a)(iv);

(c) after paragraph (2)(a)(v), insert—

"or

(vi) that person would receive Scottish adult disability living allowance but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, and remains part of the applicant's family,";

(d) after paragraph (2)(b), insert—

"(ba) "Scottish adult disability living allowance" means the care component of a Scottish adult disability living allowance, payable under regulation 6 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(e) in paragraph (3)(b), after "disability living allowance", insert ", Scottish adult disability living allowance".

(**a**) S.I. 2012/2677; relevant amending instruments are 2013/388, 2013/591, 2021/786, 2022/177 and 2022/530.

Amendment of the Universal Credit Regulations 2013

15.—(1) The Universal Credit Regulations 2013(**a**) are amended as follows.

(2) In regulation 2 (interpretation), after the definition of "National Minimum Wage Regulations", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 14(1)(b) (exceptions to the requirement not to be receiving education), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In regulation 24(2) (the child element)—

(a) in sub-paragraph (a), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in sub-paragraph (b), after "disability living allowance at the highest rate", insert ", the care component of Scottish adult disability living allowance at the highest rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(5) In regulation 41(2)(a) (when an assessment may be carried out), after "disability living allowance", insert ", Scottish adult disability living allowance".

(6) In regulation 83(1) (exceptions – entitlement or receipt of certain benefits)—

(a) after sub-paragraph (f), insert—

> "(fa) a claimant, or qualifying young person for whom a claimant is responsible, is receiving Scottish adult disability living allowance;";

(b) omit the "or" after sub-paragraph (h)(v);

(c) after sub-paragraph (h)(vi), insert—

> "or
>
> (vii) in the case of Scottish adult disability living allowance, is not receiving it by virtue of regulation 22 (effect of admission to a care home on ongoing entitlement to care component) or regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(7) After paragraph 5(3)(b)(ia) of Schedule 3 (claimant treated as occupying or not occupying accommodation), insert—

> "(ib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,".

(8) In Schedule 4 (housing costs element for renters)—

(a) in paragraph 12—

(i) after sub-paragraph (3)(a)(ia), insert—

> "(ib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(**a**) S.I. 2013/376; relevant amending instruments are S.I. 2013/630, 2013/2828, 2015/1754, 2016/678, 2017/213, 2020/827, 2021/786, 2021/1188, 2021/1224, 2022/177 and 2024/919.

(ii) after sub-paragraph (6A)(a)(ia), insert—

"(ib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in paragraph 15—

(i) after sub-paragraph (2)(ba), insert—

"(bb) a person in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) in sub-paragraph (2)(e)—

(aa) after "(b)", insert ", (bb)";

(bb) omit the "or" after paragraph (v);

(cc) after paragraph (vi), insert—

", or

(vii) regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.";

(c) in paragraph 16—

(i) after sub-paragraph (2)(c), insert—

"(ca) a person in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate;";

(ii) in sub-paragraph (2)(f)—

(aa) after "(c)", insert ", (ca)";

(bb) omit the "or" after paragraph (v);

(cc) after paragraph (vi), insert—

", or

(vii) regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(d) after paragraph 29(5)(aa), insert—

"(ab) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(9) In paragraph 6 of Schedule 8 (circumstances in which a claimant is to be treated as having limited capability for work), after "disability living allowance", insert ", Scottish adult disability living allowance".

(10) In paragraph 5 of Schedule 9 (circumstances in which a claimant is to be treated as having limited capability for work and work-related activity), after "disability living allowance at the highest rate", insert ", the care component of Scottish adult disability living allowance at the highest rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

Amendment of the Jobseeker's Allowance Regulations 2013

16.—(1) The Jobseeker's Allowance Regulations 2013(**a**) are amended as follows.

(2) In regulation 42 (remunerative work)—

(a) in paragraph (3)(c)(ii), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph (4)—

(i) in the definition of "care component"—

(aa) omit the "or" after sub-paragraph (a);

(bb) after sub-paragraph (b), insert—

"or

(c) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after the definition of "personal independence payment", insert—

";

"Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

Amendment of the Employment and Support Allowance Regulations 2013

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

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

(a) in paragraph (3)(b) and (c)(ii), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph (7)—

(i) in the definition of "care component"—

(aa) omit the "or" after sub-paragraph (a);

(bb) after sub-paragraph (b), insert—

"or

(c) the care component of Scottish adult disability living allowance at the highest or middle rate provided for in regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025(**c**);";

(ii) after the definition of "personal independence payment", insert—

";

"Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

(**a**) S.I. 2013/378; relevant amending instruments are S.I. 2013/591, 2021/786, 2022/177 and 2024/919.
(**b**) S.I. 2013/379; relevant amending instruments are S.I. 2013/591, 2021/786, 2022/177 and 2024/919.
(**c**) S.S.I. 2025/3.

Amendment of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013

18.—(1) The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013(**a**) are amended as follows.

(2) In regulation 2 (interpretation), in the definition of "Scottish disability benefit"—

(a) omit the "or" after paragraph (b);

(b) after paragraph (c), insert—

"or

(d) Scottish adult disability living allowance within the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

Amendment of the State Pension Regulations 2015

19.—(1) The State Pension Regulations 2015(**b**) are amended as follows.

(2) After regulation 37(4)(i) (credits for persons engaged in caring), insert—

";

(j) the care component of Scottish adult disability living allowance at the middle or highest rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

PART 4

Northern Ireland

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

20.—(1) The Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(**c**) are amended as follows.

(2) In regulation 9(2)(b) (conditions relating to residence and presence in Northern Ireland)—

(a) after head (iii), insert—

"(iiia) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,";

(b) omit the "or" after head (iv);

(c) after head (v), insert—

"(vi) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the Disability Assistance for Children and Young People (Scotland) Regulations 2021(**d**), or

(**a**) S.I. 2013/381; relevant amending instruments are S.I. 2022/177 and 2024/919.
(**b**) S.I. 2015/173; relevant amending instruments are S.I. 2016/240 and 2022/332.
(**c**) S.R. 1976 No. 99, amended by S.R. 2016 No. 228; there are other amending instruments but none is relevant.
(**d**) S.S.I. 2021/174.

(vii) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the Disability Assistance for Working Age People (Scotland) Regulations 2022(**a**).".

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

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

(2) In regulation 2(1) (interpretation), after the definition of "residential care home", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In paragraph 4(a) of Schedule 1B (prescribed categories of person)—

(a) in sub-head (i), after "Contributions and Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in sub-head (iii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In Schedule 2 (applicable amounts)—

(a) in paragraph 7(2), after "principal Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph 10(1)(b)(i), for "or (e)", substitute ", (e) or (f)";

(c) in paragraph 11(1)(b)—

(i) in sub-head (i), for "or (d)", substitute ", (d) or (f)";

(ii) in sub-head (ii), for "or (e)", substitute ", (e) or (f)";

(d) in paragraph 12(1)—

(i) in head (a)(i), after "disability living allowance", insert ", Scottish adult disability living allowance";

(ii) after head (e), insert—

"; or

(f) except where paragraph 2A of Schedule 7 (applicable amounts in special cases) applies, the claimant or, as the case may be, the claimant's partner was in receipt of Scottish adult disability living allowance—

(i) but no amount is payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025; and

(ii) a higher pensioner premium or disability premium has been applicable to the claimant.";

(**a**) S.S.I. 2022/54.

(**b**) S.R. 1987 No. 459; relevant amending instruments are S.R. 1988 No. 146, S.R. 1990 No. 346, S.R. 1992 No. 6, S.R. 1993 No. 165, S.R. 1994 No. 327, S.R. 1995 Nos. 67, 301 and 434, S.R. 1996 Nos. 199 and 358, S.R. 2000 Nos. 74 and 367, S.R. 2002 Nos. 132 and 323, S.R. 2003 Nos. 191, 195 and 413, S.R. 2005 No. 458, S.R. 2008 No. 498, S.R. 2010 No. 103, S.I. 2013/3021, S.R. 2016 No. 228, S.I. 2021/786, S.I. 2022/177, S.I. 2023/1218 and S.I. 2024/919.

(e) in paragraph 13—

(i) in sub-paragraphs (2)(a)(i) and (b)(i) and (3)(a), after "principal Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (3A)(e), insert—

"(f) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if they would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.".

(f) in paragraph 13A(1ZA), after head (ba), insert—

"(bb) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable to that person at the highest rate in accordance with regulation 6(4) of those Regulations;".

(5) In paragraph 18 of Schedule 3 (housing costs)—

(a) after sub-paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance,";

(b) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(6) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 6, after "disability living allowance", insert ", the mobility component of Scottish adult disability living allowance";

(b) in paragraph 9, after "disability living allowance", insert ", the care component of Scottish adult disability living allowance".

Amendment of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992

22.—(1) The Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(**a**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of "the run-on period", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) After regulation 2(1ZB) (conditions as to residence and presence in Northern Ireland), insert—

(**a**) S.R. 1992 No. 32; relevant amending instruments are S.R. 1993 No. 340, S.R. 1999 No. 428, S.R. 2000 No. 71, S.R. 2016 No. 229, S.R. 2017 No. 218, S.I. 2021/804, S.I. 2022/177, S.I. 2022/335 and S.I. 2023/664.

"(1ZC) A person to whom regulation 48(1) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 applies shall be treated for the period set out in that regulation as though he does not satisfy the condition in paragraph (1)(a)(i) of this regulation.".

(4) In regulation 6(1) (qualifying period for care component after an interval), after "Disability Living allowance", insert ", or the care component of Scottish adult disability living allowance".

(5) In regulation 11 (qualifying period for mobility component after an interval), after "Disability Living allowance", insert ", or the mobility component of Scottish adult disability living allowance".

(6) In Schedule 1 (persons aged 65 and over)—

(a) in paragraph 3(2), after "care component" in the first place it appears, insert "or the care component of Scottish adult disability living allowance";

(b) in paragraph 3(3)(a), after "attendance allowance", insert "or to the care component of Scottish adult disability living allowance";

(c) in paragraph 5(1), after "regulation 4(2)(a)", insert "or the mobility component of Scottish adult disability living allowance payable at the higher rate specified in regulation 29(2)(b) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(d) in paragraph 5(3)(a), after "mobility component", insert "or the mobility component of Scottish adult disability living allowance";

(e) in paragraph 6(1), after "regulation 4(2)(b)", insert "or the mobility component of Scottish adult disability living allowance payable at the lower rate specified in regulation 29(2)(a) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(f) in paragraph 7(1), after "mobility component", insert "or the mobility component of Scottish adult disability living allowance".

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

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

(2) In regulation 1(2) (citation, commencement, interpretation and application), after the definition of "sandwich course", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 51(3)(c) (remunerative work)—

(a) in head (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in head (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In regulation 140(1)(h) (meaning of "person in hardship")—

(**a**) S.R. 1996 No. 198; relevant amending instruments are S.R. 1996 No. 356, S.R. 2000 Nos. 242, 350 and 367, S.R. 2002 No. 323, S.R. 2008 No. 428, S.I. 2013/3021, S.R. 2016 No. 228, S.I. 2021/786, S.I. 2022/177, S.I. 2022/530, S.I. 2023/1218 and S.I. 2024/919.

(a) in head (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in head (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In regulation 146A(1)(e) (meaning of "couple in hardship")—

(a) in head (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in head (ii), after "disability living allowance", insert ", Scottish adult disability living allowance".

(6) In paragraph 3(a) of Schedule A1 (categories of members of a joint-claim couple who are not required to satisfy the conditions in Article 3(2B)(b) of the Order)—

(a) in sub-head (i), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in sub-head (iv), after "disability living allowance", insert ", Scottish adult disability living allowance".

(7) In Schedule 1 (applicable amounts)—

(a) in paragraph 8(2), after "DACYP Regulations", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph 14(1)—

(i) before head (d), insert—

"(cb) the claimant or, as the case may be, the claimant's partner, is in receipt of Scottish adult disability living allowance or is a person whose Scottish adult disability living allowance is payable, in whole or in part, to another in accordance with regulation 28 (making payments) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after head (fb), insert—

"(fc) the claimant or, as the case may be, the claimant's partner, is a person who is entitled to the mobility component of Scottish adult disability living allowance but to whom the component is not payable in accordance with regulation 29(6) (amount and form of Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(iii) omit the "or" after head (g)(iv);

(iv) after head (g)(v), insert—

"or

(vi) entitled to Scottish adult disability living allowance but no amount is payable in accordance with regulation 23 (effect of admission to hospital on ongoing

entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,";

(v) in the words after the new head (g)(vi), for "(v)" substitute "(vi)";

(c) in paragraph 15—

(i) in sub-paragraphs (1)(a) and (4)(a), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) in sub-paragraph (2)(a), after "Benefits Act (the "qualifying benefit")", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(iii) in sub-paragraph (5), after head (ac), insert—

"(ad) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 if they would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations be so in receipt;";

(d) in paragraph 15A(1ZA), after head (aa), insert—

"(ab) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable to that person at the highest rate in accordance with regulation 6(4) of those Regulations; or";

(e) in paragraph 20D(2), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(f) in paragraph 20H(1)—

(i) before head (d), insert—

"(cb) is in receipt of Scottish adult disability living allowance or is a person whose Scottish adult disability living allowance is payable, in whole or in part, to another in accordance with regulation 28 (making payments) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after head (gb), insert—

"(gc) is a person who is entitled to the mobility component of Scottish adult disability living allowance but to whom the component is not payable in accordance with regulation 29(6) (amount and form of Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(iii) omit the "or" after head (h)(iii);

(iv) after head (h)(iv), insert—

", or

(v) entitled to Scottish adult disability living allowance but no amount is payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,";

(v) in the words after the new head (h)(v), for "(iv)" substitute "(v)";

(g) in paragraph 20I—

(i) in sub-paragraph (1)(a), after "Benefits Act (the "qualifying benefit")", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) in sub-paragraph (3)(a), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(iii) after sub-paragraph (4)(d), insert—

"(e) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 if they would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(h) in paragraph 20IA—

(i) omit the "or" after sub-paragraph (1)(a);

(ii) after sub-paragraph (1)(a), insert—

"(aa) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable at the highest rate in accordance with regulation 6(4) of those Regulations; or".

(8) In paragraph 17 of Schedule 2 (housing costs)—

(a) after sub-paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance, or";

(b) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

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

24.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(**a**) are amended as follows.

(2) In regulation 1(2) (citation, commencement, application and interpretation), in the definition of "Scottish disability benefit" after sub-paragraph (c), insert—

"(d) Scottish adult disability living allowance within the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living

(**a**) S.R. 1999 No. 162; relevant amending instruments are S.I. 2022/177 and S.I. 2024/919.

Allowance) Regulations 2025 in circumstances where regulation 48(1) of those Regulations applies;".

Amendment of the Social Security (Loss of Benefit) Regulations (Northern Ireland) 2002

25.—(1) The Social Security (Loss of Benefit) Regulations (Northern Ireland) 2002(**a**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of "relevant authority", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(3) In regulation 5(1)(h) (meaning of "person in hardship")—

(a) in head (i), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in head (ii), after "disability living allowance", insert ", Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(4) In regulation 11(2)(e) (meaning of "couple in hardship")—

(a) in head (i), after "Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in head (ii), after "disability living allowance", insert ", Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

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

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

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of "residential care home", insert—

> ""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In Schedule 1 (additional amounts)—

(a) in paragraph 1—

(i) in sub-paragraphs (1)(a)(i), (b)(i) and (c)(i), after "Contributions and Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) in sub-paragraph (2)(a), after "Contributions and Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle

(**a**) S.R. 2002 No. 79; relevant amending instruments are S.R. 2011 No. 291, S.R. 2016 No. 225, S.I. 2013/3021 and S.I. 2024/919.

(**b**) S.R. 2003 No. 28; relevant amending instruments are S.R. 2003 No. 191, S.I. 2013/3021, S.R. 2016 Nos. 228 and 236, S.I. 2022/177 and S.I. 2024/919.

rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(iii) after sub-paragraph (2)(bc), insert—

"(bd) for the purposes of sub-paragraph (1)(b) as being in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 if that person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt;";

(b) in paragraph 2(2)(a), after "Contributions and Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(4) In paragraph 14 of Schedule 2 (housing costs)—

(a) omit "; or" after sub-paragraph (6)(b)(iia);

(b) after sub-paragraph (6)(b)(iia), insert—

",

(iib) the care component of the Scottish adult disability living allowance, or"

(c) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In paragraph 9 (amount of additional payment) of Schedule 2A (additional amount applicable for claimants responsible for a child or qualifying young person)—

(a) in sub-paragraph (2), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in sub-paragraph (3)(a), after "at the highest rate", insert ", the care component of Scottish adult disability living allowance at the highest rate".

(6) In paragraph 1(9) of Schedule 3 (special groups), after "Contributions and Benefits Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(7) In paragraph 4(1)(a) of Schedule 6 (sums disregarded from claimant's earnings), after sub-head (iva), insert—

"(ivb) Scottish adult disability living allowance;".

Amendment of the Housing Benefit Regulations (Northern Ireland) 2006

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

(2) In regulation 2(1) (interpretation)—

(a) in the definition of "member of a couple who cannot share a bedroom", after head (iia), insert—

(**a**) S.R. 2006 No. 405; relevant amending instruments are S.R. 2008 No. 179, S.R. 2011 No. 51, S.I. 2013/3021, S.R. 2016 No. 228, S.R. 2017 No. 70, S.I. 2021/786, S.I. 2021/1188, S.I. 2022/177, S.I. 2022/530, S.I. 2023/1218 and S.I. 2024/919.

"(iib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in the definition of "person who requires overnight care"—

(i) after head (iiza), insert—

"(iizb) is in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) in head (iii), after "(iiza)" insert ", (iizb)";

(c) after the definition of "residential care home", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 25(11) (treatment of child care charges)—

(a) in sub-paragraph (d), after head (ix), insert—

"(ixa) Scottish adult disability living allowance;";

(b) after sub-paragraph (ea), insert—

"(eb) a Scottish adult disability living allowance was payable on account of his incapacity but has ceased to be payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(4) In regulation 72 (non-dependant deductions)—

(a) after paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance;";

(b) in paragraph (9)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In regulation 73F(1) (exception to the benefit cap: receipt of specified benefit)—

(a) after sub-paragraph (eza), insert—

"(ezb) the claimant or the claimant's partner or a young person for whom the claimant or the claimant's partner is responsible is receiving Scottish adult disability living allowance;";

(b) in sub-paragraph (g)—

(i) after "(eza)", insert ", (ezb)";

(ii) after head (iii), insert—

"(iiia) in the case of Scottish adult disability living allowance, that allowance is not payable in accordance with regulation 22 (effect of admission to a care home on ongoing entitlement to care component) or regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(6) In Schedule 4 (applicable amounts)—

(a) in paragraph 7(2), after "section 72(3) of the Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(b) in paragraph 13(1)(a)—

(i) in sub-head (i), after "disability living allowance", insert ", Scottish adult disability living allowance";

(ii) after sub-head (iiic), insert—

"(iiid) was in receipt of Scottish adult disability living allowance that is no longer payable by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(c) in paragraph 14—

(i) in sub-paragraphs (2)(a)(i) and (b)(i) and (4)(a), after "section 72(3) of the Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (5)(e), insert—

"(f) as being in receipt of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if that person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(d) after the "or" following paragraph 15(1)(ba), insert—

"(bb) the highest rate of the care component of Scottish adult disability living allowance is payable, or has ceased to be payable by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 in respect of—

(i) the claimant, or

(ii) a member of the claimant's family,

who has not attained the qualifying age for state pension credit, or";

(e) after the "or" following paragraph (16)(aa), insert—

"(ab) is a young person who is in receipt of Scottish adult disability living allowance or who would, but for payment ceasing by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 be so in receipt, provided that the young person continues to be a member of the family; or".

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

28.—(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)—

(a) in the definition of "member of a couple who cannot share a bedroom", after head (iia), insert—

"(iib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in the definition of "person who requires overnight care"—

(i) after head (iiza), insert—

"(iizb) is in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) in head (iii), after "(iiza)", insert ", (iizb)";

(c) after the definition of "savings credit", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 29(11) (treatment of child care charges)—

(a) after sub-paragraph (d)(iv), insert—

"(iva) Scottish adult disability living allowance;";

(b) after sub-paragraph (ea), insert—

"(eb) a Scottish adult disability living allowance was payable on account of his incapacity but has ceased to be payable in accordance with regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(4) In regulation 53 (non-dependant deductions)—

(a) after paragraph (6)(b)(ii), insert—

"(iia) the care component of Scottish adult disability living allowance;";

(b) in paragraph (10)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

(5) In Schedule 4 (applicable amounts)—

(a) after paragraph 5(2)(c), insert—

"(cza) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in paragraph 6—

(**a**) S.R. 2006 No. 406; relevant amending instruments are S.R. 2011 No. 51, S.I. 2013/3021, S.R. 2016 No. 228, S.I. 2021/786, S.I. 2022/177, S.I. 2022/530 and S.I. 2024/919.

(i) in sub-paragraphs (2)(a)(i) and (b)(i) and (6)(a), after "section 72(3) of the Act", insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(ii) after sub-paragraph (7)(e), insert—

"(f) as being in receipt of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, if that person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of those Regulations, be so in receipt.";

(c) after the "or" following paragraph 7(1)(aa), insert—

"(ab) the care component of Scottish adult disability living allowance is payable, or has ceased to be payable by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, at the highest rate in accordance with regulation 6(4) of those Regulations; or";

(d) in paragraph 8, after sub-paragraph (aa), insert—

"(ab) is a young person who is in receipt of Scottish adult disability living allowance or who would, but for payment ceasing by virtue of regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 be so in receipt, provided that the young person continues to be a member of the family; or".

(6) In paragraph 5(1)(a) of Schedule 5 (sums disregarded from claimant's earnings), after sub-head (iva), insert—

"(ivb) Scottish adult disability living allowance;".

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

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

(2) In regulation 2 (interpretation), after the definition of "residential care home", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(3) In regulation 18 (circumstances in which the condition that the claimant is not receiving education does not apply), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In regulation 158 (meaning of "person in hardship")—

(a) in sub-paragraphs (3)(c) and (d)(ii), after "disability living allowance", insert ", Scottish adult disability living allowance";

(**a**) S.R. 2008 No. 280; relevant amending instruments are S.R. 2010 No. 69, S.R. 2011 No. 357, S.I. 2013/3021, S.R. 2016/228, S.I. 2021/786, S.I. 2022/177 and S.I. 2024/919.

(b) in paragraph (7)—

(i) omit the "or" after sub-paragraph (a);

(ii) at the end of sub-paragraph (b), insert—

"; or

(c) the care component of Scottish adult disability living allowance at the highest or middle rate provided for in regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

(5) In Schedule 4 (amounts)—

(a) in paragraph 4(2), after head (ba), insert—

"(bb) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in paragraph 6(2)(a)(i), (b)(ii) and (4)(a) after "adult disability payment", in each place it appears, insert ", the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(c) in paragraph 6(2)(b)(i), after "daily living component", insert ", the daily living component of adult disability payment, the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025";

(d) in paragraph 6(5), after head (e), insert—

"(f) as being in receipt of Scottish adult disability living allowance if the person would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be so in receipt.";

(e) in paragraph 7(1), after head (b), insert—

"(ba) the care component of Scottish adult disability living allowance is, or would, but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, be payable at the highest rate in accordance with regulation 6(4) of those Regulations in respect of—

(i) the claimant, or

(ii) the claimant's partner (if any) who is aged less than the qualifying age for state pension credit;".

(6) In Schedule 6 (housing costs)—

(a) in paragraph 15(11)(b), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph 19—

(i) after sub-paragraph (6)(b)(iia), insert—

"(iib) the care component of Scottish adult disability living allowance;";

(ii) in sub-paragraph (8)(a), after "disability living allowance", insert ", Scottish adult disability living allowance".

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

30.—(1) The Child Support Maintenance Calculation Regulations (Northern Ireland) 2012(**a**) are amended as follows.

(2) In regulation 63 (illness or disability of relevant other child)—

(a) in paragraph (2)(a)(i), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) omit the "or" after paragraph (2)(a)(iv);

(c) after paragraph (2)(a)(v), insert—

"or

(vi) that person would receive Scottish adult disability living allowance but for regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, and remains part of the applicant's family,";

(d) after paragraph (2)(b), insert—

"(ba) "Scottish adult disability living allowance" means the care component of a Scottish adult disability living allowance, payable under regulation 6 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(e) in paragraph (3)(b), after "disability living allowance", insert ", Scottish adult disability living allowance".

Amendment of the State Pension Regulations (Northern Ireland) 2015

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

(2) In regulation 37 (credits for persons engaged in caring), after paragraph (4)(i), insert—

";

(j) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 in circumstances where the person is resident in Northern Ireland and regulation 48(1) of those Regulations applies.".

Amendment of the Universal Credit Regulations (Northern Ireland) 2016

32.—(1) The Universal Credit Regulations (Northern Ireland) 2016(**c**) are amended as follows.

(2) In regulation 2 (interpretation), after the definition of "responsible for a child or qualifying young person", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(**a**) S.R. 2012 No. 427; relevant amending instruments are S.R. 2016 No. 228 and S.I. 2022/177.
(**b**) S.R. 2015 No. 315; relevant amending instruments are S.R. 2016 No. 100, S.I. 2021/1301 and S.I. 2022/332.
(**c**) S.R. 2016 No. 216; relevant amending instruments are S.I. 2021/786, S.R. 2021 No. 303, S.I. 2021/1188, S.I. 2022/177 and S.I. 2024/919.

(3) In regulation 14(1)(b) (exceptions to the requirement not to be receiving education), after "disability living allowance", insert ", Scottish adult disability living allowance".

(4) In regulation 25(2) (the child element)—

(a) in sub-paragraph (a), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in sub-paragraph (b), after "disability living allowance at the highest rate", insert ", the care component of Scottish adult disability living allowance at the highest rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

(5) In regulation 42(2)(a) (when an assessment may be carried out), after "disability living allowance", insert ", Scottish adult disability living allowance".

(6) In regulation 83(1) (exceptions – entitlement or receipt of certain benefits)—

(a) after sub-paragraph (f), insert—

"(fa) a claimant, or a qualifying young person for whom a claimant is responsible, is receiving Scottish adult disability living allowance;";

(b) omit the "or" after sub-paragraph (i)(v);

(c) after sub-paragraph (i)(vi), insert—

"or

(vii) in the case of Scottish adult disability living allowance, is not receiving it by virtue of regulation 22 (effect of admission to a care home on ongoing entitlement to care component) or regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(7) After paragraph 4(3)(b)(ia) of Schedule 3 (claimant treated as occupying or not occupying accommodation), insert—

"(ib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025,".

(8) In Schedule 4 (housing costs element for renters)—

(a) in paragraph 11—

(i) after sub-paragraph (3)(a)(ia), insert—

"(ib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after sub-paragraph (6A)(a)(ia), insert—

"(ib) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(b) in paragraph 14—

(i) after sub-paragraph (2)(ba), insert—

"(bb) a person in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4)

of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) in sub-paragraph (2)(e)—

(aa) after "(b)", insert ", (bb)";

(bb) omit the "or" after head (v);

(cc) after head (vi), insert—

", or

(vii) regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.";

(c) in paragraph 15—

(i) after sub-paragraph (2)(c), insert—

"(ca) in receipt of the care component of Scottish adult disability living allowance at the highest or middle rate;";

(ii) in sub-paragraph (2)(f)—

(aa) after "(c)", insert ", (ca)";

(bb) omit the "or" after head (v);

(cc) after head (vi), insert—

", or

(vii) regulation 23 (effect of admission to hospital on ongoing entitlement to Scottish adult disability living allowance) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.";

(d) after paragraph 28(4)(aa), insert—

"(ab) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

(9) In paragraph 6 of Schedule 8 (circumstances in which a claimant is to be treated as having limited capability for work), after "disability living allowance", insert ", Scottish adult disability living allowance".

(10) In paragraph 5 of Schedule 9 (circumstances in which a claimant is to be treated as having limited capability for work and work-related activity), after "disability living allowance at the highest rate", insert ", the care component of Scottish adult disability living allowance at the highest rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025".

Amendment of the Personal Independence Payment Regulations (Northern Ireland) 2016

33.—(1) The Personal Independence Payment Regulations (Northern Ireland) 2016(**a**) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of "prescribed date", after "15A" insert "or 15B";

(b) after the definition of "revised"—

(**a**) S.R. 2016 No. 217, amended by S.I. 2022/177.

(i) omit the "and";

(ii) insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025; and".

(3) In regulation 14 (the prescribed date), for "or regulation 15A(2) or (3)" substitute ", regulation 15A(2) or (3) or regulation 15B(2) or (3)".

(4) In regulation 15A (the prescribed date: claims for personal independence payment after award of child disability payment)—

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

(b) after paragraph (4), insert—

"(5) Where C makes the new claim during the 13 week period provided for in regulation 36 of the Disability Assistance for Children and Young People (Scotland) Regulations 2021, for the purpose of this regulation the previous award of child disability payment is to be treated as having ended immediately before C makes the new claim.".

(5) After regulation 15A, insert—

"The prescribed date: claims for personal independence payment after an award of Scottish adult disability living allowance

15B.—(1) Where C makes a claim for personal independence payment ("the new claim") and had a previous award for Scottish adult disability living allowance, which ended not more than 2 years before the date on which the new claim is made, and C has not been entitled to a personal independence payment on any day since the end of the award of Scottish adult disability living allowance, and was aged 64 years old or younger on 20 June 2016, paragraphs (2), (3), (4), (5) and (6) apply.

(2) In relation to determination of entitlement under the new claim—

(a) the prescribed date for the purposes of regulations 12(1)(a) and (2)(a) and 13(1)(a) and (2)(a) is the date on which the previous award ended where that award was in respect of Scottish adult disability living allowance; and

(b) regulations 12(1)(b) and (2)(b) and 13(1)(b) and (2)(b) have effect in relation to the new claim as if for the words "the prescribed date" there were substituted "the date on which the new claim for personal independence payment is made".

(3) Where C is awarded either or both components under the new claim, in relation to continued entitlement to that component or, as the case may be, those components, for the period of 3 months following the date of the new claim—

(a) the prescribed date for the purposes of regulations 12(1)(a) and (2)(a) and 13(1)(a) and (2)(a) is the date on which the previous award ended where that award was in respect of Scottish adult disability living allowance; and

(b) regulations 12(1)(b) and (2)(b) and 13(1)(b) and (2)(b) have effect in relation to that award as if for words "the prescribed date" there were substituted "each day of the award".

(4) C is to be regarded as meeting such of the conditions contained in the following provisions of these Regulations (as modified by paragraphs (2) and (3) above) as are relevant to C's new claim, regardless of whether those conditions have been met—

(a) regulation 12(1)(a) or (2)(a) (required period condition: daily living component);

(b) regulation 13(1)(a) or (2)(a) (required period condition: mobility component).

(5) This regulation is subject to regulation 26A (claim for personal independence payment after an award of Scottish adult disability living allowance and after reaching the relevant age).

(6) Where C makes the new claim during the 13 week period provided for in regulation 48 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025, for the purpose of this regulation the previous award of Scottish adult disability living allowance is to be treated as having ended immediately before C made the new claim.".

(6) After regulation 26 (claim for personal independence payment after an interval and after reaching the relevant age), insert—

"Claim for personal independence payment after an award of Scottish adult disability living allowance and after reaching the relevant age

26A.—(1) Where C has reached the relevant age and makes a new claim in the circumstances set out in regulation 15B(1) the following exceptions apply.

(2) The exceptions referred to in paragraph (1) are—

(a) Article 88(1) of the Order (persons of pensionable age) does not apply;

(b) the reference to '2 years' in regulation 15B(1) is to be read as '1 year'.".

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

34.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 2016(**a**) are amended as follows.

(2) In regulation 41 (remunerative work)—

(a) in paragraph (3)(c)(ii), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph (4)—

(i) in the definition of "care component"—

(aa) omit the "or" after sub-paragraph (a);

(bb) after sub-paragraph (b), insert—

"or

(c) the care component of Scottish adult disability living allowance at the highest or middle rate in accordance with regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after the definition of "personal independence payment", insert—

""Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025.".

(**a**) S.R. 2016 No. 218; relevant amending instruments are S.I. 2021/786, S.I. 2022/177 and S.I. 2024/919.

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

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

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

(a) in paragraph (3)(b) and (c)(ii), after "disability living allowance", insert ", Scottish adult disability living allowance";

(b) in paragraph (7)—

(i) in the definition of "care component"—

(aa) omit the "or" after sub-paragraph (a);

(bb) after sub-paragraph (b), insert—

"or

(c) the care component of Scottish adult disability living allowance at the highest or middle rate provided for in regulation 6(4) of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;";

(ii) after the definition of "personal independence payment", insert—

";

"Scottish adult disability living allowance" has the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025;".

Amendment of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations (Northern Ireland) 2016

36.—(1) The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations (Northern Ireland) 2016(**b**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "Scottish disability benefit"—

(a) omit the "or" after sub-paragraph (b);

(b) at the end of sub-paragraph (c), insert—

"or

(d) Scottish adult disability living allowance within the meaning given in regulation 2 of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 in circumstances where regulation 48(1) of those Regulations applies;".

(**a**) S.R. 2016 No. 219; relevant amending instruments are S.I. 2021/786, S.I. 2022/177 and S.I. 2024/919.
(**b**) S.R. 2016 No. 221; relevant amending instruments are S.I. 2022/177 and S.I. 2024/919.

Signed by authority of the Secretary of State for Work and Pensions

Andrew Western
Parliamentary Under Secretary of State
Department for Work and Pensions

27th February 2025

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments in consequence of regulations made under section 31 (disability assistance) of the Social Security (Scotland) Act 2018 (asp 9).

This instrument primarily makes amendments to social security legislation in England and Wales, Scotland and Northern Ireland, as the case may be, governing entitlement to certain benefits in consequence of the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 (S.S.I. 2025/3).

Those Regulations introduce arrangements for the payment of disability assistance in the form of Scottish adult disability living allowance. Scottish adult disability living allowance replaces disability living allowance for adults (namely persons aged eighteen years or older) with a disability who live in Scotland. The consequential amendments ensure that Scottish adult disability living allowance is treated in the same way as disability living allowance in the reserved benefits system and in Northern Ireland.

This Order also makes amendments to social security legislation governing entitlement to certain benefits in consequence of the Disability Assistance for Children and Young People (Scotland) Regulations 2021 (S.S.I. 2021/174) and the Disability Assistance for Working Age People (Scotland) Regulations 2022 (S.S.I. 2022/53). These Regulations provide for, respectively, child disability payment and adult disability payment to individuals with a disability who live in Scotland. The purpose of such consequential amendments is to ensure that child disability payment and adult disability payment are treated in the same way as the benefits that they have replaced for the purposes of the reserved benefits system and in Northern Ireland.

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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