

Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

Scottish Government Response to SCoSS Recommendations

Recommendation	Accept/Partially Accept/Reject?	Response
<p>Recommendation 1: Given the significance of the decision facing some Scottish Adult DLA recipients as whether to remain on Scottish Adult DLA or to claim ADP, and the unpredictability of the outcome, SCoSS recommends that the Scottish Government works with stakeholders to consider what adjustments may be needed to ensure access to appropriate and timely advice and support.</p>	<p>Accept</p>	<p>We recognise that the decision to remain on Scottish Adult DLA, or to apply for ADP, is a complex and important decision for individuals. The option to choose was a recommendation of the Disability and Carer Benefits Expert Advisory Group (DACBEAG) and supported by the Ill Health and Disability Benefit Stakeholder Reference Group (IHDBSRG).</p> <p>The process of moving from Scottish Adult DLA to ADP will begin with a voluntary application for ADP. We feel this is important in providing for an informed choice as it will allow individuals, and support organisations, to read the ADP application and the questions it asks, and fully evaluate how their conditions and disabilities may be considered against the ADP eligibility criteria. When someone receiving Scottish Adult DLA submits an application for ADP, a client advisor from Social Security Scotland will phone them to discuss the Scottish Adult DLA to ADP journey and ensure they are making an informed choice to apply for ADP with a full understanding of any risks. This approach is in line with a person centred rights-based approach, as only individuals, with support from independent advice organisations, can make a decision about what is right for them and their circumstances.</p> <p>We will provide clear, easy to understand information on the process through a range of different online and offline channels, including the letters we send to individuals as part of the transfer</p>

	<p>process, the benefit pages on www.mygov.scot, and through media and social media channels. Our online information on the mygov.scot website, and the letters sent directly to individuals, is developed directly through testing with users. This ensures the information provided is clear and easy to understand, and reflects user feedback.</p> <p>As our approach differs from the DWP approach, we will emphasise through these communications that any application for ADP is an individual's choice, and that they can remain on Scottish Adult DLA if they wish to do so. Messaging will also stress that as individuals will not be able to return to Scottish Adult DLA after their ADP entitlement starts, it is important they seek independent advice before making this decision.</p> <p>We will provide signposting to where this support can be accessed. Our letters will include details of how to contact independent, tailored support and advice, as well as Voiceability, for support from an independent advocate. We also intend to provide online information about the two benefits to support individuals and stakeholder organisations with this process.</p> <p>Insights show that people expect to get information from people, places and services they are already interacting with. Therefore, we will also engage directly with relevant stakeholders ahead of launch through roadshows and other engagement opportunities, to ensure they have the information they need to help the people they are supporting. Previous engagement activity has had a strong positive response from stakeholders as it helps organisations to provide training materials for their advisers so they can best support those seeking advice through their services.</p>
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		<p>We arranged a further meeting with the IHDBSRG on 28 August 2024 to discuss our communications approach for providing an informed choice to apply for ADP, and the key messages we should be delivering to individuals considering an ADP application, as set out above. Following a presentation and discussion on this issue, members of the group confirmed they were supportive of our approach to communicating and maximising the opportunity for individuals to make an informed choice to apply for ADP.</p>
<p>Recommendation 2: The Scottish Government and Social Security Scotland should work with DWP to put in place a monitoring system to consider the rate and efficiency of transfers from Disability Living Allowance to Scottish Adult DLA in circumstances where an individual on Disability Living Allowance has reported a terminal illness.</p>	<p>Accept</p>	<p>Ensuring people with a terminal illness experience a smooth transfer journey is one of our highest priorities. Social Security Scotland currently work with DWP to monitor the case transfer journey for the awards of people who are terminally ill. This will continue for transfers to Scottish Adult DLA.</p>
<p>Recommendation 3: The Scottish Government should set out an approach to work directly with organisations supporting people in circumstances where an individual on Disability Living Allowance has reported a terminal illness and publish guidance on what they should be able to expect.</p>	<p>Accept</p>	<p>We will publish detailed guidance on the case transfer journey for those to who are terminally ill on the Social Security Scotland and mygov.scot websites and intend to design communications to ensure our users are presented with the right content for them at the right time. Further, we have arranged to engage with the National Implementation Group for Terminal Illness for advice around how communications can be developed and targeted to reach those who need them.</p> <p>At our meeting with the Ill Health and Disability Benefit Stakeholder Reference Group on 28 August 2024, we also discussed with members how best to communicate the case</p>

		<p>transfer process for individuals with a terminal illness. This focussed on the different case transfer journeys for individuals in the 'working age' and '65+' groups, the explanation for the different processes for the two groups, and how we intend to deliver tailored information that is specific to affected individuals. Members were supportive of our approach as it will ensure individuals have a decision made on their award as soon as possible where they are terminally ill, and agreed with our approach to communicating the different transfer processes to the different groups currently on DLA.</p>
<p>Recommendation 4: There should be provision to extend the two year grace period when an individual makes a late application with good reason.</p>	<p>Reject</p>	<p>Normally, when someone is above state pension age and receiving ADP, PIP, or DLA, and they report a change of circumstances or have a review, they cannot have the mobility component of their award increased or awarded for the first time. This will also be the case in Scottish Adult DLA.</p> <p>The provisions for the DLA to PIP transition allowed individuals in the working age group to avail themselves of the whole PIP mobility component (considering its different eligibility rules) even if they did not transition from DLA until after they reached 65. When DWP completes the required transition from DLA to PIP for the working age group, this policy will no longer have effect. The Disability Assistance for Working Age People (Transitional Provisions and Miscellaneous Amendment) (Scotland) Regulations 2022, similarly allow individuals having their award transferred from DLA to ADP to avail themselves of the whole ADP mobility component for the ADP review determination.</p> <p>The draft Scottish Adult DLA regulations contain similar provisions, allowing individuals in the 'working age' group who are over State Pension age to make an ADP application and</p>

		<p>have the mobility component of their award increased or awarded for the first time, provided they submit their application by 31 December 2027. We will ensure that the ending of this transitional provision is clearly communicated to stakeholders and clients through a range of channels.</p> <p>This approach will allow these individuals sufficient time to seek independent advice on whether they should apply for ADP, complete an application and have the mobility component of their award increased or awarded for the first time. Individuals in this group will still be able to apply for ADP after 31 December 2027. However, from this point, those over state pension age will not be able to have the mobility component of their award increased or awarded for the first time as is the case for those on already on ADP.</p> <p>This will provide individuals sufficient time to make an informed choice on whether to apply for ADP, and we consider introducing a bright line rule is the best approach to ending this transitional provision and aligning rules with other groups over state pension age. This will provide certainty to individuals and can be clearly communicated to all clients, ensuring they understand when they must make an ADP application by if they wish to access the whole ADP mobility component.</p>
<p>Recommendation 5: The Scottish Government should place particular attention on communicating the significant risk that is shouldered by individuals when they choose to apply for Adult Disability Payment. This should strongly emphasis that they will not be</p>	<p>Agree</p>	<p>We recognise that the decision to remain on Scottish Adult DLA or apply for ADP is a complex and important decision for individuals. We are committed to providing clear, easy to understand information, as well as signposting to independent advice to support an informed choice.</p> <p>As noted in response to recommendation 1, we have a range of online and offline communication channels that we will use to</p>

<p>able to reclaim Scottish Adult DLA if they make this decision.</p>		<p>communicate with individuals and stakeholders about the option some clients will have to apply for ADP. All of our communications will clearly highlight that if individuals do make an application for ADP, they will not be able to reapply for Scottish Adult DLA once their ADP entitlement has begun. This will also be explained clearly by Social Security Scotland staff to individuals who apply by phone. Where individuals apply by post or online, a member of Social Security Scotland staff will attempt to make contact with them to ensure this is understood, and that they are content to continue with their application. Our strategy of signposting individuals to independent advice if they are considering applying for ADP, and the engagement work we will conduct with stakeholder organisations, will further ensure people can make a decision that is right for them.</p>
<p>Recommendation 6: The Scottish Government should work with a range of stakeholders to develop inclusive communications to both the ‘working age’ and ‘65+’ groups transferring to Scottish Adult DLA to ensure that information about case transfer, entitlement and access to advice and advocacy is tailored as far as possible to individual circumstances.</p>	<p>Accept</p>	<p>As mentioned earlier, we are working with colleagues to ensure that guidance for clients in the different ‘groups’ for Scottish Adult DLA is tailored and accessible. We are considering how we can direct individuals to the appropriate information on gov.scot, in guidance and other communications, and scoping opportunities to design and test online guidance so that individuals are shown only content relevant to them. A key improvement we are delivering is to make definition of the ‘groups’ within Scottish Adult DLA clearer, including delineating by date of birth (ie those born on or before and after 8 April 1948).</p> <p>We presented these plans to the Ill Health and Disability Benefit Stakeholder Reference Group at our meeting with them on 28 August 2024. Following a presentation and discussion, members confirmed they were supportive of our planned approach for communicating tailored information that is specific to individual’s circumstances.</p>

<p>Recommendation 7: SCoSS recommends that further equality analysis relating to the “working age group” is undertaken so as to further evaluate potential impacts on them of needing to decide whether to remain on Scottish Adult DLA or claim Adult Disability Payment. Having a choice to claim can be seen as mitigating (for example, by giving claimants more autonomy) the DWP approach of a mandatory move. However, SCoSS believes that consideration, of further actions which could help to give due regard to the public sector equality duty could usefully be undertaken with stakeholders.</p>	<p>Accept</p>	<p>We understand the Commission is recommending we ensure the equalities impacts of not requiring people to move to Adult Disability Payment are well understood and that we engage with stakeholders to consider what actions aimed at mitigating those impacts can be taken.</p> <p>We have assessed the equalities impacts of this policy in line with our public sector equality duty. We have revised our Equalities Impact Assessment with further analysis. For example, less than 10% of the total working age group (around 3750 people) could potentially access or increase their rate of the mobility component were they to apply for Adult Disability Payment after they reached the relevant age. These are people who will have the two year grace period to apply for Adult Disability Payment which is discussed above at recommendation 4.</p> <p>People may have other reasons for considering whether or not to apply for ADP, as for some the different eligibility rules may result in them having a higher award. We recognise that this is a complex question for all individuals, and our analysis of main disabling conditions suggests that some of the younger members of the working age cohort may face additional barriers to engaging with Social Security Scotland and understanding all the relevant factors before making a decision.</p> <p>We are mitigating these risks by doing all we can to ensure clear information is available so individuals can make a truly informed choice, regardless of their circumstances or characteristics. We are continuing to work with stakeholders to ensure these</p>
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		<p>communications are useful, accessible to everyone, and include all relevant information.</p> <p>We are also introducing a number of processes to ensure people fully understand the potential risks and benefits of their choice. These include, as described in the response to recommendation 1, contacting people directly where they make an application to ensure they understand the implications.</p> <p>As noted above, we have and will continue to engage with stakeholder organisations and disabled people to ensure people are able to make this choice with the right amount of information and support, whatever their individual circumstances or characteristics. For example, as above we met with the Ill Health and Disability Benefits Stakeholder Reference Group in August 2024. They supported our approach to inclusive communications regarding this group applying for ADP.</p>
<p>Recommendation 8: Draft regulation 3 should be amended to include the Upper Tribunal and courts in the list of routes to entitlement to Scottish Adult DLA.</p>	<p>Accept</p>	<p>Our policy position is that a Scottish Adult DLA award made by whatever legal mechanism should result in the required entitlement. This is in line with other forms of Scottish disability assistance, and the draft regulations have been amended accordingly.</p>
<p>Recommendation 9: The Scottish Government should consider removing the extra test in draft regulation 9(3)(a)(ii) and (b)(ii) for those transferring to Scottish Adult DLA over pension age who are terminally ill.</p>	<p>Reject</p>	<p>We have considered this recommendation; however we do not agree that the current drafting constitutes an extra test for awards transferring where an individual has become terminally ill. These provisions are consistent with other Scottish disability benefits that restrict the addition or increase of the mobility component after the relevant age, even where the person is terminally ill. This is true whether the person applies after an interval, reports a change, or has their award transferred. Removing this test only for those in receipt of Scottish Adult DLA</p>

		would be unfair to those of a similar age on other Scottish disability benefits.
Recommendation 10: The Scottish Government should consider amending the definition of ‘supervision’ for the care component in draft regulation 12 to align with Pension Age Disability Payment.	Accept	Drafting has been amended accordingly.
Recommendation 11: Draft regulations 12,13 and 14 should be amended to align the qualifying period over pension age with the pension age provisions in DLA and Pension Age Disability Payment.	Partially accept	<p>We partially accept this recommendation. The qualifying periods for the care component for Scottish Adult DLA have been amended to reflect the 6 months ‘backwards test’, with no ‘forwards test’, for changes occurring after an individual has reached the relevant age. However, the qualifying periods for the mobility component set out in the draft Regulations are consistent with DLA as we understand it.</p> <p>We note that there is no mobility component for PADP. However, for DLA the qualifying periods remain 3 months ‘backwards’ and 6 months ‘forwards’ where an individual has reached the relevant age. There is an additional requirement that the individual has continually met the eligibility criteria since before reaching the relevant age. See Regulation 3 and Schedule 1, paragraphs 5 and 6 of the Social Security (Disability Living Allowance) Regulations 1991. This is accounted for at 7(4)(c) and 8(10)(c) in the draft Scottish Adult DLA Regulations.</p>
Recommendation 12: The Scottish Government reviews the test of severe visual impairment in draft regulation 14 to ensure it is compatible with rights under the European Convention on Human Rights.	Accept	We have reviewed the test of severe visual impairment and have also sought and received assurance from the Department of Work and Pensions that they consider the current DLA test does, in practice, fully meet the policy intention as set out in the

	<p>explanatory memorandum of the Social Security (Disability Living Allowance) (Amendment) Regulations 2010^[1]:</p> <p><i>“7.4 This amendment extends the “deeming provisions” to allow prescribed categories of severely visually impaired people to gain access for the first time to the higher rate mobility component of DLA. The change acknowledges that people with the most severe forms of sight loss, such that they have no useful sight for the purposes of independently getting out and about even in familiar environments, face additional, mobility-related costs. The intention is that this change will allow severely visually impaired people greater freedom to participate in social activities, get out and about and to work where that is an option.</i></p> <p><i>7.5 The two categories of severe visual impairment specified in the Regulations represent a sub-group of those who have been certificated by a consultant ophthalmologist as being severely sight impaired (blind). People who have been certificated as being severely sight impaired, but who do not fall within the ambit of this measure, are excluded on the basis that they will have sufficient vision to enable them to be independently mobile in familiar places. These people will continue to be entitled to the lower rate mobility component where applicable.”</i></p> <p>However, in order to avoid any potential doubt over whether the Scottish Adult DLA test fully meets the policy objective of capturing all those that have been certified as severely sight impaired <u>and</u> who are unable to be independently mobile outdoors in familiar places, we have modified the drafting for the Scottish Adult DLA regulations. We have also updated the</p>
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[1] [EXPLANATORY MEMORANDUM TO THE SOCIAL SECURITY \(DISABILITY LIVING ALLOWANCE\) \(AMENDMENT\) REGULATIONS SI No 1651 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

		<p>references to the measures of visual acuity in the current regulations slightly to ensure parity with the latest NHS guidance on severe sight impairment. This approach best ensures the policy intent is met while supporting safe and secure transfer.</p>
<p>Recommendation 13: The Scottish Government should amend draft regulation 25(3) to restrict awards of the mobility component based on entitlement before pension age.</p>	<p>Accept</p>	<p>Drafting has been amended accordingly.</p>
<p>Recommendation 14: The Scottish Government should consider whether the policy intention for awards of the lowest rate of the care component after pension age is met in the draft regulations.</p>	<p>Accept</p>	<p>Drafting has been amended accordingly.</p>
<p>Recommendation 15: The Scottish Government should consider flexibility in the 12 months deadline to reinstate an award where there is good reason for a late request.</p>	<p>Reject</p>	<p>In the updated draft Regulations, paragraphs 12 and 13 of Schedule 1, which were Regulations 28 and 29 in the version of the draft Regulations when scrutinised by the Commission, are intended to allow individuals to request their Scottish Adult DLA award is reinstated where their Scottish Adult DLA award has ended within the past year. For example, this could be where someone with a Scottish Adult DLA award has fallen out of entitlement in the past 12 months, or they could receive Scottish Adult DLA for the first time where someone has moved to Scotland from the rest of the UK within 12 months of their DLA award ending. This ensures parity with DWP's approach to DLA renewal applications.</p> <p>Provisions require that entitlement must result from substantially the same condition or conditions as the award that previously ended. We feel 12 months is an appropriate period to link to a</p>

		<p>previous award, and the conditions that underpinned this award. This is also consistent with DWP's approach to applications after an interval in DLA. We believe having this bright line rule will provide clarity and consistency for individuals.</p>
<p>Recommendation 16: The Scottish Government should monitor and consult with stakeholders on the potential impact on people who cannot reinstate entitlement to Scottish Adult DLA because of the restrictions in draft regulation 28(5), for example that they have an appeal pending. The results of this consultation could also assist the Scottish Government in meeting the social security principle of continuous improvement and when revising its impact assessments of Scottish DLA.</p>	<p>Partially accept</p>	<p>Paragraph 12 of Schedule 1 – previously Regulation 28 in the version of the Regulations scrutinised by the Commission – is intended to allow individuals to request that their Scottish Adult DLA award is reinstated in situations where their entitlement has lapsed.</p> <p>This broadly mirrors the ‘applications after an interval’ provisions that are available in DLA, which allow individuals to apply for DLA where they did not submit a renewal application before the end of their fixed term award. It should be noted that we anticipate this provision would be needed rarely in Scottish Adult DLA as, while some awards will be reviewed, this process is generally ‘light-touch’ and will not involve renewal applications as in DLA.</p> <p>It is not our intention that these provisions be an additional form of challenge where a determination has been made that someone is not eligible for Scottish Adult DLA, for example following a review or change of circumstances. The restrictions in paragraph 12(4) of Schedule 1 – previously draft regulation 28(5) – are intended to ensure that individuals are not able to request the reinstatement of an award when they are currently challenging the determination to end their award. This is because, if the re-determination or appeal finds the individual is entitled to Scottish Adult DLA, this will recommence entitlement from the day the award ended. Where a tribunal upholds Scottish Ministers’ decision that an individual is not entitled to</p>

		<p>Scottish Adult DLA, and this is within a year of the award ending, individuals will still be able to request that their award is reinstated. We will however continue to monitor the impact of these provisions on individuals who are unable to reinstate their award due to the restrictions in paragraph 12(4) of Schedule 1.</p>
<p>Recommendation 17: The Scottish Government should review and clarify how changes of circumstances reported by an individual on Scottish Adult DLA are taken into account if they go on to apply for Adult Disability Payment</p>	<p>Accept</p>	<p>Regulation 43 of the latest draft of the Scottish Adult DLA regulations states that if an individual reports a change of circumstances relating to their Scottish Adult DLA award, Scottish Ministers must make a determination of an individual's entitlement to Scottish Adult DLA.</p> <p>Paragraph 15F–(4) in Schedule 2 to the draft Regulations amend the Disability Assistance for Working Age People (Scotland) Regulations 2022 so that the ADP review determination is to be made on the basis of any information that the Scottish Ministers have received in respect of the individual's entitlement to Scottish Adult Disability Living Allowance. The determination will also consider information provided in the application for ADP, any information requested from the client, or other information that appears relevant. All of this information would therefore be potentially relevant to the ADP review determination.</p> <p>The process of considering a reported change of circumstances on a Scottish Adult DLA award, and the process of considering an application for ADP, can run in tandem if the individual applies for ADP soon after reporting a change of circumstances on their Scottish Adult DLA award. This means their Scottish Adult DLA award can be changed to ensure the client receives their full entitlement for the relevant period before their ADP award begins.</p>

<p>Recommendation 18: Cross references in the draft regulations should be checked for accuracy.</p>	<p>Accept</p>	<p>As noted by the board, these regulations were still in draft form, and a full check of all references in the regulations has been conducted and any required amendments made prior to laying.</p>
<p>Observation 1: SCoSS notes that, where possible, breaking down claimant data by protected characteristics such as age, sex and disability, would be helpful to include in the revised Equality Impact Assessment to assist in the understanding of the intersection between different protected characteristics.</p>	<p>Agree</p>	<p>We have more clearly set out this data in the revised Equality Impact Assessment and have included some further breakdown of the available data. We do note however that the data sources available from the Department for Work and pensions on DLA is limited. Key data has been pulled into a separate section 5 of the revised draft for clarity and ease of reference.</p>

Summary of changes since sharing with SCoSS

Policy	Summary of change	Original Regs Ref	Updated Regs Ref
Upper-tier Tribunals	Drafting has been amended to ensure that anyone who meets the required age criteria and appears to be eligible (by whichever means) is in scope for their award to be transferred to Scottish Adult DLA.	3(i)	3(a) and 4
Qualifying periods for individuals over the relevant age	Qualifying periods for individuals over the 'relevant age' have been revised. Under DLA rules, there is 6 months backwards test and no forwards test for individuals over the relevant age for the care component. The mobility component retains the same qualifying periods, however with added condition that the individual fulfilled the criteria immediately before they reached the relevant age. This brings the rules for individuals over the relevant age in line with those on DLA, PIP/ADP and AA/PADP.	12(3)(a) & (b)(care); 13(4) (mobility)	6(3) (care); 7(4)(c) and 8(11)(c) (mobility)
Definition of 'attention'	The definition of 'attention' has been revised to include the requirement that attention be delivered in the physical presence of another person. This is consistent with both DLA and AA/PADP.	12(5)	6(7)(a)
Definition of 'supervision'	The definition of 'supervision' for the care component of Scottish Adult DLA has been revised to include 'the continual presence of another person for the purpose of reducing the real risk of harm to the individual and to others'. This brings the definition in line with the definition used for PADP.	12(5)	6(7)(d)
Severe Visual Impairment eligibility criteria	We have reviewed the test of severe visual impairment and have also sought and received assurance from the Department of Work and Pensions that the current DLA test is lawful and fully meets the policy intention as set out in the explanatory memorandum of the Social Security (Disability Living Allowance) (Amendment) Regulations	14(5)	8(2)(c), (5) and (6)

	<p>2010.¹ However, given there has been some dubiety expressed over whether the test fully meets the policy objective of capturing all those that are unable to be independently mobile outdoors in familiar places, and in order to remove any doubt, we have modified the Scottish Adult DLA drafting to make this clear while keeping the references to the measures of visual acuity in the current regulations, to support safe and secure transfer.</p> <p>We have also added backdating provisions to ensure that individuals who are eligible for an increased award under the Scottish Adult DLA rules when compared to DLA as a result of a severe visual impairment can access this from the date they became eligible for an increased award, regardless of when their award is selected for transfer, for up to a maximum of one year.</p>	N/A	Sch1, Part 2, para 10(1) and (4) (backdating provision)
Lowest rate of the care component over the relevant age	The drafting has been amended to add restrictions to the lowest rate of the care component for those over the 'relevant age' so that an individual cannot newly qualify as a result of a change of circumstances that occurred after they reached this age. This brings the rules for Scottish Adult DLA in line with those for DLA and ensures parity of treatment with those in receipt of AA/PADP.	12(3)	6(5)
Mobility component over the relevant age	To make sure that the regulations cover that an individuals' award of the mobility component is restricted appropriately after reaching relevant age, the drafting has been updated to state "immediately before reaching relevant age" rather than "immediately before the date of transfer".	25(3)(b)	7(4)(c); 8(11)(c)
Reinstatement within a year of a previous award ending	Regulations 28 and 29 allow an individual to access an award of Scottish Adult DLA within a year of a previous award ending, or within a year of a DLA award ending, in some circumstances. These provisions have been updated to ensure that the rules around meeting the backwards test are in line with those in ADP. This means	28, 29	Sch 1, Part 3, para 12(6) and para 13(6)

¹ [EXPLANATORY MEMORANDUM TO THE SOCIAL SECURITY \(DISABILITY LIVING ALLOWANCE\) \(AMENDMENT\) REGULATIONS SI No 1651 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

	that in these circumstances, the backwards test is considered to be met by the final 13 weeks of the previous award that ended in the last year, provided the previous award consisted of the same component as the one the individual is now entitled to.		
Continuing to receive the care component whilst in a residential education establishment	A provision has been added to exempt an individual who is a student and the cost of their accommodation is met (in part or full) from a student grant or loan from continuing to receive the care component of Scottish Adult DLA, to bring in line with DLA.	30(4)	2 (definition of “care home” and “residential educational establishment”) and 22(4)
Overlapping benefits	Provision has been added to maintain consistency with DLA in respect of skilled nursing care payments and constant attendance allowance paid under service pensions and personal injuries schemes. Where any of these overlapping benefits are in payment, the amount of Scottish Adult DLA care component will be reduced.	37(4), (5) and (6)	29(4), (5) and (6), 30
Invalid Vehicle Scheme	Provision has been added to ensure that those who would be eligible for the higher rate of the mobility component of DLA as a result of previous entitlement under the Invalid Vehicle Scheme will also be eligible to receive the equivalent component(s) of Scottish Adult DLA.	N/A	2, 8(12) and (13), 10(6)(b)
Amendments re Short-Term Assistance	These amendments were removed as they were deemed unnecessary.	Schedule 1, part 2, para 5; Reg 65, Reg 66;	N/A
Amendments to Child Disability Payment	These amendments were removed as they were deemed unnecessary.	Reg 65; Schedule 1, part 2, para 4; and para 5	N/A
Amendments to Adult Disability Payment	Amendments to ADP regulations include: adding the Social Security (Contributions and Benefits) (Northern Ireland) Act 1992 to the definition of Attendance Allowance; and the same amendments made	Schedule 1, part 1, para 2, para 3,	Schedule 2, part 2, para 2(2)(4) and (5).

	above regarding adding skilled nursing care, service pensions and personal injuries schemes.		
Amendments to Pension Age Disability Payment	The same amendments made above regarding skilled nursing care, and service pensions and personal injuries schemes, will be added to the PADP Regulations.	N/A	Schedule 2, part 2, para 3

A number of smaller technical amendments were made for clarity, but do not introduce any new policy. Some structural changes were also made, for example moving the case transfer provisions to a Schedule.