

Appendix 1

Benefits which may not be managed under Part 4

Part 4 of the Adults with Incapacity (Scotland) Act 2000 makes provision for the management of the affairs of residents in certain types of establishments. Section 39 lists the matters that such managers may manage. The benefits paid under the Social Security Contributions and Benefits Act 1992, the State Pension Credit Act 2002, Part 1 of the Welfare Reform Act 2007 and Parts 1 and 4 of the Welfare Reform Act 2012 are excluded from this. That means the benefits detailed below may not be managed in terms of Part 4 of the Adults with Incapacity (Scotland) Act 2000:

- Retirement Pension: Categories A, B, C, D
Graduated Retirement Pension
Disablement Pension
Shared Additional Pension
- Maternity Allowance
- Bereavement Benefits: Bereavement Allowance
Bereavement Payment
Widows Pension
Widowed Mothers Allowance
Widowed Parents Allowance
- Attendance Allowance
- Severe Disablement Allowance²
- Disability Living Allowance¹
- Incapacity Benefit²
- Guardian's Allowance
- Industrial Injuries Benefits: Disablement Benefit
Reduced Earnings Allowance
Retirement Allowance
Industrial Death Benefit
- Child Benefit
- Income Support¹
- Social Fund³: Winter Fuel Payments
Social Fund Maternity
Funeral Expenses
- Housing Benefit¹
- Council Tax Benefit³
- Carer's Allowance

- Employment and Support Allowance¹
- State Pension Credit
- Universal Credit (4)
- Personal Independence Payment (4)

In the list above:

- ¹ indicates benefits which will be replaced by the Universal Credit or Personal Independence Payment
- ² indicates benefits which have already been replaced with other benefits included in the list as a result of earlier reforms, and are being phased out. Some Severe Disablement Allowance cases will remain where recipients are over state pension age.
- ³ indicates benefits which are being abolished, with responsibility for successor arrangements
- (4) indicates benefits introduced by the Welfare Reform Act 2012. From April 2013 these are being introduced progressively across the UK. The date for introduction to Scotland has still to be announced. Universal Credit replaces a number of existing benefits which may not be managed under Part 4 of the 2000 Act. The Personal Independence Payment replaces the Disability Living Allowance for people aged 16 to 64years old.