



# Social Security Act 1988

## 1988 CHAPTER 7

### *Attendance allowance*

#### **1 Attendance allowance**

- (1) The following paragraph shall be substituted for section 35(1)(b) of the Social Security Act 1975—
- “(b) he is so severely disabled physically or mentally that, at night,—
- (i) he requires from another person prolonged or repeated attention in connection with his bodily functions, or
  - (ii) in order to avoid substantial danger to himself or others he requires another person to be awake for a prolonged period or at frequent intervals for the purpose of watching over him.”
- (2) Section 35 of the Social Security Act 1975 shall have effect as amended by subsection (1) above only for the purposes—
- (a) of any determination by the Attendance Allowance Board or a delegate appointed under paragraph 5 of Schedule 11 to that Act following a claim made after the passing of this Act;
  - (b) of any review by the Board or by such a delegate following an application made after the passing of this Act;
  - (c) of any review by the Board or by such a delegate under section 106(1)(a) or (bb) of the Social Security Act 1975 following a decision to conduct such a review made after the passing of this Act; and
  - (d) of any issue, revocation or alteration of a certificate relating to attendance allowance which takes place following a determination, review or appeal such as is mentioned in paragraph (a), (b) or (c) above.