Status: *Point in time view as at 01/11/1996.*
Changes to legislation: *There are currently no known outstanding effects for the Disability Living Allowance and Disability Working Allowance Act 1991, SCHEDULE 3. (See end of Document for details)*

SCHEDULES

SCHEDULE 3

Section 7.

DISABILITY WORKING ALLOWANCE: AMENDMENTS

[F1]PART I

Textual Amendments

F1 Sch. 3 Pt. I repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 c. 6 , ss. 3, 7(2), Sch.1

Administration

. . . . . .

1 The 1986 Act shall be amended as follows.

. . . . . .

2 The following paragraph shall be inserted after section 51(2)(d)—

"(dd) disability working allowance;".

Adjudication

. . . . . .

3 (1) The following subsection shall be inserted after section 52(3)—

"(3A) Subject to subsections (9) and (10) below, the following provisions of the Social Security Act 1975 shall have effect for the purposes of disability working allowance as they have effect for the purposes of attendance allowance and disability living allowance—

(a) those mentioned in subsection (3) above;

(b) section 104A; and

(c) sections 115A to 115D.".

(2) In subsection (4) of that section—

(a) after the words "virtue of subsection (3)" there shall be inserted the words " or (3A) "; and

(b) at the end there shall be added the words " or in relation to disability working allowance ".

(3) The following subsections shall be added at the end of that section—

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"(9) In their application to disability working allowance the provisions of the Social Security Act 1975 mentioned in subsection (3A) above shall have effect as if—

(a) in sections 100A(2)(b) and 104A(1)(b), for the words "any relevant" there were substituted the words "any prescribed";

(b) sections 100A(2)(c), (3), (4) and (11), 100C(2) to (5), 100D(4) to (6), 104A(1)(c) and (d), (2) and (5) and 115C(4) were omitted;

(c) the following subsection were substituted for section 104A(9)—

(9) Subsections (3A) and (5) of section 104 above shall apply in relation to a review under this section as they apply to a review under that section but as if—

(a) in subsection (3A), "(3)" were substituted for "(2)"; and

(b) subsection (5)(a) were omitted.

(d) the following subsection were substituted for section 115C(3)—

(3) An adjudication officer may refer for advice any case relating to attendance allowance or disability living allowance to a medical practitioner who is an officer of the Secretary of State. ;and

(e) the following subsection were substituted for section 115C(5)—

(5) A medical practitioner who is an officer of the Secretary of State and to whom a question relating to attendance allowance or disability living allowance is referred under section 115A above may obtain information about it from another medical practitioner.

(10) In their application to disability working allowance sections 100A(1) and (2)(b) and 104A(1)(b) of the Social Security Act 1975 shall have effect subject to section 20(6F) above.".

Overpayments

. . . . . .

4 The following paragraph shall be inserted after section 53(10)(d)—

"(e) disability working allowance;".

Annual up-rating of benefits

. . . . . .

5 In section 63—

(a) in subsection (1)(i) after the words "section 21(6)(a)" there shall be inserted the words " or (aa) "; and

(b) the following sub-paragraph shall be inserted after subsection (13)(b)(ii)—

"(iii) to disability working allowance,".

Reciprocal arrangements

. . . . . .

6 In section 65(4) after the words "family credit" there shall be inserted the words " , disability working allowance ".

Crown employment

. . . . . .

7 In section 79(3) after the words "family credit" there shall be inserted the words " and disability working allowance ".

Financial provision

. . . . . .

8 In section 85—

(a) the following sub-paragraph shall be inserted after subsection (1)(a)(ii)—

"(iiA) disability working allowance;"; and

(b) in subsection (9) after the words "family credit," there shall be inserted the words " disability working allowance, ".

PART II

AMENDMENTS OF OTHER ACTS

Child Care Act 1980 (c.5)

9 In section 45(1A) of the Child Care Act 1980 (no liability to contribute to maintenance) for the words "or family credit" there shall be substituted the words " , family credit or disability working allowance ".

Commencement Information

I9 Sch. 3 para. 9 wholly in force 6.4.1992; in force for certain purposes 10.3.1992 and for all other purposes 6.4.1992; see s. 15(2) and S.I. 1991/2617, **art. 2(e)(f)**

Transport Act 1982 (c.49)

10 In section 70(2)(b) of the Transport Act 1982 (payments in respect of applicants for exemption from wearing seat belts) for the words "or family credit" there shall be substituted the words " , family credit or disability working allowance ".

Commencement Information

I10 Sch. 3 para. 10 wholly in force 6.4.1992; in force for certain purposes 10.3.1992 and for all other purposes 6.4.1992; see s. 15(2) and S.I. 1991/2617, **art. 2(e)(f)**

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Income and Corporation Taxes Act 1988 (c.1)

11 In section 617(2)(a) of the Income and Corporation Taxes Act 1988 (treatment of social security benefits and contributions for tax purposes) after the words "family credit" there shall be inserted the words " , disability working allowance ".

Commencement Information

I11 Sch. 3 para. 11 wholly in force 6.4.1992; in force for certain purposes 10.3.1992 and for all other purposes 6.4.1992; see s. 15(2) and S.I. 1991/2617, **art. 2(e)(f)**

Education Reform Act 1988 (c.40)

F2 12 . . . . . .

Textual Amendments

F2 Sch. 3 para. 12 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Children Act 1989 (c.41)

13 In section 17(9) of the Children Act 1989 (no repayment of assistance) for the words "or family credit" there shall be substituted the words " , family credit or disability working allowance ".

Commencement Information

I12 Sch. 3 para.13 wholly in force 6.4.1992: in force for certain purposes 10.3.1992 and for all other purposes 6.4.1992; see s. 15(2) and S.I. 1991/2617, **art. 2(e)(f)**

14 In section 29(3) of that Act (no recoupment of costs) for the words "or family credit" there shall be substituted the words " , family credit or disability working allowance ".

Commencement Information

I13 Sch. 3 para. 14 wholly in force 6.4.1992; in force for certain purposes 10.3.1992 and for all other purposes 6.4.1992; see s. 15(2) and S.I. 1991/2617, **art. 2(e)(f)**

15 In paragraph 21(4) of Part III of Schedule 2 to that Act (no liability to contribute to maintenance) for the words "or family credit" there shall be substituted the words " , family credit or disability working allowance ".

Commencement Information

I14 Sch. 3 para. 15 wholly in force 6.4.1992; in force for certain purposes 10.3.1992 and for all other purposes 6.4.1992; see s. 15(2) and S.I. 1991/2617, **art. 2(e)(f)**

Status:
Point in time view as at 01/11/1996.

Changes to legislation:
There are currently no known outstanding effects for the Disability Living Allowance and Disability Working Allowance Act 1991, SCHEDULE 3.