



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

PART II

CONTRIBUTORY BENEFITS

Invalidity benefits

34 Invalidity allowance

- (1) If a person is more than 5 years below pensionable age on the qualifying date in any period of interruption of employment then, subject to the following provisions of this section, in respect of every day of that period in respect of which he is entitled to an invalidity pension, he shall also be entitled to an invalidity allowance at the appropriate weekly rate specified in Schedule 4, Part I, paragraph 3.
- (2) In this section “the qualifying date” means the first day in the period of interruption of employment in question (whether that day falls before the coming into force of this section or later) which is a day of incapacity for work or such earlier day as may be prescribed.
- (3) An invalidity allowance shall be payable—
 - (a) at the higher rate specified in Schedule 4, Part I, paragraph 3, if—
 - (i) the qualifying date fell before 5th July 1948; or
 - (ii) on the qualifying date the beneficiary was under the age of 35; or
 - (iii) on the qualifying date the beneficiary was under the age of 40 and had not attained pensionable age before 6th April 1979;
 - (b) at the middle rate so specified if paragraph (a) above does not apply and either—
 - (i) on the qualifying date the beneficiary was under the age of 45; or
 - (ii) on the qualifying date the beneficiary was under the age of 50 and had not attained pensionable age before 6th April 1979;

Status: This is the original version (as it was originally enacted).

- (c) at the lower rate so specified if paragraphs (a) and (b) above do not apply, and on the qualifying date the beneficiary was a man under the age of 60 or a woman under the age of 55.
- (4) Where for any period the weekly rate of the invalidity pension to which the beneficiary is entitled includes an additional pension such as is mentioned in section 44(3)(b) below, for that period the relevant amount shall be deducted from the appropriate weekly rate of invalidity allowance and he shall be entitled to invalidity allowance only if there is a balance after the deduction and, if there is such a balance, at a weekly rate equal to it.
- (5) In this section “the relevant amount” means an amount equal to the additional pension reduced by the amount of any reduction in the weekly rate of the invalidity pension made by virtue of section 29 of the Pensions Act.
- (6) In this section references to an additional pension are references to that pension after any increase under section 52(3) below but without any increase under paragraphs 1 and 2 of Schedule 5 to this Act.
- (7) The amount payable by way of invalidity allowance shall for any day of incapacity for work be one sixth of the appropriate weekly rate or, where subsection (4) above applies, of the weekly rate payable under that subsection.