



# Social Security Administration Act 1992

## 1992 CHAPTER 5

### PART I

#### CLAIMS FOR AND PAYMENTS AND GENERAL ADMINISTRATION OF BENEFIT

##### *Disability working allowance*

#### **11 Initial claims and repeat claims**

(1) In this section—

“initial claim” means a claim for a disability working allowance made by a person—

- (a) to whom it has not previously been payable; or
  - (b) to whom it has not been payable during the period of 2 years immediately preceding the date on which the claim is made or is treated as made; and
- “repeat claim” means any other claim for a disability working allowance.

(2) On an initial claim a declaration by the claimant that he has a physical or mental disability which puts him at a disadvantage in getting a job is conclusive, except in such circumstances as may be prescribed, that for the purposes of section 129(1)(b) of the Contributions and Benefits Act he has such a disability (in accordance with regulations under section 129(3) of that Act).

(3) If—

- (a) a repeat claim is made or treated as made not later than the end of the period of 8 weeks commencing with the last day of the claimant’s previous award; and
- (b) on the claim which resulted in that award he qualified under section 129(2) of the Contributions and Benefits Act by virtue—
  - (i) of paragraph (a) of that subsection; or
  - (ii) of there being payable to him a benefit under an enactment having effect in Northern Ireland and corresponding to a benefit mentioned in that paragraph,

he shall be treated on the repeat claim as if he still so qualified.