

This instrument is made in part to correct errors contained in S.I.1993/1739 and is being issued free of charge to all known recipients of that instrument.

STATUTORY INSTRUMENTS

1993 No. 2704

SOCIAL SECURITY

The Social Security (Introduction of Disability Living Allowance) (Amendment) (No. 3) Regulations 1993

<i>Made</i>	- - - -	<i>29th October 1993</i>
<i>Laid before Parliament</i>		<i>4th November 1993</i>
<i>Coming into force</i>	- -	<i>25th November 1993</i>

The Secretary of State for Social Security, in exercise of powers conferred by sections 5(1)(i), 189(1) and (6) and 191 of the Social Security Administration Act 1992(1) and paragraphs 22 and 23 of Schedule 3 to the Social Security (Consequential Provisions) Act 1992(2) and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that the proposals to make these Regulations need not be referred to it(3), hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as the Social Security (Introduction of Disability Living Allowance) (Amendment) (No.3) Regulations 1993 and shall come into force on 25th November 1993, and in these Regulations “the principal Regulations” means the Social Security (Introduction of Disability Living Allowance) Regulations 1991(4).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following provisions of this regulation and in this regulation a reference to a numbered regulation is a reference to the regulation in the principal Regulations which bears that number.

(2) In paragraph (2) of regulation 1 (interpretation) the definition of “the Claims and Payments Regulations”(5) shall be omitted.

(1) 1992 c. 5. Section 191 is cited for the meaning assigned to the word “prescribe”.
(2) 1992 c. 6.
(3) See sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992.
(4) S.I.1991/2891. The relevant amending instruments are S.I.1993/408 and 1739.
(5) This definition was added by regulation 2(2) of S.I. 1993/1739.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In paragraph (3) of regulation 13 (treatment of two awards of disability living allowance)(6) for the words “paragraph (1)” there shall be substituted the words “paragraph (1), (2A) or (2D)”.

(4) In regulation 26 (payments of disability living allowance) (7)—

(a) in paragraph (12)(a)(ii), after the words “are terminated” there shall be inserted the words “or cancelled”;

(b) in paragraph (13A)(8) for the words from “the person” where they first occur to “Regulations,” there shall be substituted the words “the person to whom the allowance is payable (whether for himself or another)”.

(5) In regulation 27(9) (persons unable to act) at the end there shall be added the following paragraph—

“(3A) In this regulation “the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations 1987 (10).”.

Signed by authority of the Secretary of State for Social Security.

Department of Social Security
29th October 1993

Nicholas Scott
Minister of State,

(6) Regulation 13 has been amended by regulation 2(2) of S.I. 1993/408 and regulation 2(3) of S.I. 1993/1739.

(7) Regulation 26 has been amended by regulation 2(3) of S.I. 1993/408 and regulation 2(4) of S.I. 1993/1739.

(8) This paragraph was added by regulation 2(4)(c) of S.I. 1993/1739.

(9) This regulation was amended by regulation 5 of S.I. 1992/728 and regulation 2(5) of S.I. 1993/1739.

(10) S.I. 1987/1968.

EXPLANATORY NOTE

(This note is not part of the Regulation)

These Regulations further amend the Social Security (Introduction of Disability Living Allowance) Regulations 1991 by—

- (a) amending regulation 13(3) by extending the definition of the expression “appropriate weekly rate” to those cases to which either paragraph (2A) or paragraph (2D) of that regulation applies in addition to paragraph (1);
- (b) inserting in regulation 26(12) a reference to cancelled awards under Parts II and III of the Regulations in addition to the present reference to awards terminated under those provisions;
- (c) amending regulation 26(13A) to specify by whom any notice that the allowance is to be paid in some other manner than that determined under regulation 26(13)(a) is to be given; and
- (d) making consequential amendments to regulations 1 and 27.

These Regulations do not impose a charge on business.