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STATUTORY INSTRUMENTS

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**1995 No. 311**

**SOCIAL SECURITY**

**The Social Security (Incapacity for  
Work) (General) Regulations 1995**

*Made - - - - 10th February 1995*

*Coming into force 13th April 1995*

**THE SOCIAL SECURITY (INCAPACITY FOR  
WORK) (GENERAL) REGULATIONS 1995**

PART I

GENERAL

1. Citation and commencement
2. Interpretation
3. Application

PART II

GENERAL PROVISIONS RELATING TO INCAPACITY FOR WORK

CHAPTER I

OWN OCCUPATION TEST

4. Definition of "remunerative work"
5. Person with more than one occupation

CHAPTER II

INFORMATION AND EVIDENCE

6. Information required for determining capacity for work
7. Failure to provide information
8. Person may be called for a medical examination
9. Matters to be taken into account in determining good cause

### CHAPTER III

#### PERSONS TREATED AS INCAPABLE

- 10. Certain persons with a severe condition to be treated as incapable of work
- 10A Certain persons participating in approved work to be treated as incapable of work
- 11. Person with a relevant infection or contamination
- 12. Hospital in-patients
- 13. Person receiving certain regular treatment
- 13A Welfare to work beneficiary
- 14. Pregnancy
- 15. Person to be treated as incapable of work throughout a day

### CHAPTER IV

#### TREATING AS CAPABLE, DISQUALIFICATION ETC.

- 16. Person who works to be treated as capable of work
- 16A Persons to be treated as capable of work at the end of the period covered by medical evidence
- 17. Exempt work
- 17A Person who claims unemployment benefit to be treated as capable of work
- 18. Disqualification for misconduct etc.

### CHAPTER V

#### ADJUDICATION

- 19. ...
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- 21. ...
- 22. ...

### PART III

#### PERSONAL CAPABILITY ASSESSMENT

- 23. Interpretation of Part III and the Schedule
  - 24. The personal capability assessment
  - 25. Incapacity under the personal capability assessment
  - 26. Calculation of scores
  - 27. Exceptional circumstances
  - 28. Conditions for treating a person as incapable of work until the personal capability assessment is carried out
- Signature

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#### SCHEDULE — DISABILITIES WHICH MAY MAKE A PERSON INCAPABLE OF WORK

##### part i — PHYSICAL DISABILITIES

- (1) (2) (3) Activity Descriptor Points 1. Walking on level...

##### part ii — MENTAL DISABILITIES

(1) (2) (3) Activity Descriptor Points 15. Completion of tasks....

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Incapacity for Work) (General) Regulations 1995.