

STATUTORY INSTRUMENTS

1995 No. 311

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

PART II

GENERAL PROVISIONS RELATING TO INCAPACITY FOR WORK

CHAPTER IV

TREATING AS CAPABLE, DISQUALIFICATION ETC.

Disqualification for misconduct etc.

18.—(1) Paragraph (2) applies where a person—

- (a) has become incapable of work through his own misconduct, except ^{F1} ... in a case where the incapacity is due to pregnancy or a sexually transmitted disease; or
- (b) fails without good cause to attend for or submit himself to medical or other treatment (excluding vaccination, inoculation or major surgery) [^{F2}recommended by a doctor with whom, or a hospital or similar institution with which, he is undergoing medical treatment and,] which would be likely to render him capable of work; or
- (c) fails without good cause to observe any of the following rules of behaviour, namely—
 - (i) to refrain from behaviour calculated to retard his recovery; or
 - (ii) not to be absent from his place of residence without leaving word where he may be found.

(2) A person referred to in paragraph (1) shall—

- (a) if he is entitled to incapacity benefit or severe disablement allowance, be disqualified for receiving that benefit or allowance; or
- (b) in the case of any other benefit, allowance or advantage, be treated as capable of work,

for such period not exceeding 6 weeks as [^{F3}the Secretary of State may determine].

Textual Amendments

- F1** Words in reg. 18(1)(a) omitted (3.4.1995) by virtue of [The Social Security \(Incapacity for Work\) Miscellaneous Amendments Regulations 1995 \(S.I. 1995/987\)](#) , regs. 1(2) , **2(7)**
- F2** Words in reg. 18(1)(b) substituted (6.1.1997) by [The Social Security \(Incapacity for Work and Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/3207\)](#) , regs. 1(1) , **2(6)**
- F3** Words in reg. 18(2) substituted (6.9.1999) by [The Social Security Act 1998 \(Commencement No. 9, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/2422\)](#) , reg. 1 , **Sch. 10 para. 2**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Social Security (Incapacity for Work) (General) Regulations 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Act modified by [S.I. 1999/1088 regs.3.4-67](#)