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STATUTORY INSTRUMENTS

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**1996 No. 1767**

**SOCIAL SECURITY**

**The Social Security (Disability Living Allowance) Amendment Regulations 1996**

<i>Made</i>	- - - -	<i>8th July 1996</i>
<i>Laid before Parliament</i>		<i>10th July 1996</i>
<i>Coming into force</i>	- -	<i>31st July 1996</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 73(1) and 189(1) and (4) of the Social Security Administration Act 1992<sup>(1)</sup>, and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it<sup>(2)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Disability Living Allowance) Amendment Regulations 1996 and shall come into force on 31st July 1996, immediately following the coming into force of the Social Security (Disability Living Allowance and Claims and Payments) Amendment Regulations 1996<sup>(3)</sup>.

**Amendment of regulation 12B of the Social Security (Disability Living Allowance) Regulations 1991**

2.—(1) Regulation 12B of the Social Security (Disability Living Allowance) Regulations 1991<sup>(4)</sup> (exemption from regulation 12A) shall be amended in accordance with the following provisions of this regulation.

(2) After paragraph (9) there shall be inserted the following paragraph—

“(9A) Regulation 12A shall not apply in the case of a person who is residing in a hospice and is terminally ill where the Secretary of State has been informed that he is terminally ill—

- (a) on a claim for disability living allowance;
- (b) on an application for a review of an award of disability living allowance; or

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(1) 1992 c. 5; section 73 was amended by the Jobseekers Act 1995 (c. 18), Schedule 2, paragraph 49.  
(2) See section 173(1)(b) of the Social Security Administration Act 1992.  
(3) S.I.1996/1436.  
(4) S.I. 1991/2890. Regulations 12A and 12B were inserted by S.I. 1996/1436.

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**Status:** This is the original version (as it was originally made).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

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- (c) in writing in connection with an award of, or a claim for, or an application for review of an award of, disability living allowance.”.
- (3) In paragraph (12), after the words “In this regulation—” there shall be inserted the definition—
- “(za) “hospice” has the same meaning as that given in paragraph (7) of regulation 10;”.

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

8th July 1996

*A. J. B. Mitchell*  
Parliamentary Under-Secretary of State,  
Department of Social Security

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Social Security (Disability Living Allowance) Regulations 1991. They provide for a further exemption from the provisions of regulation 12A of those Regulations (hospitalisation in mobility component cases) (inserted by regulation 2 of the Social Security (Disability Living Allowance and Claims and Payments) Amendment Regulations 1996) by providing that certain persons residing in hospices shall continue to receive the mobility component of disability living allowance.

These Regulations do not impose any costs on business.