



# Disability Living Allowance and Disability Working Allowance Act 1991

## CHAPTER 21

### DISABILITY LIVING ALLOWANCE AND DISABILITY WORKING ALLOWANCE ACT 1991

#### *Disability living allowance*

- 1 Introduction of disability living allowance.
- 2 Attendance allowance and mobility allowance.
- 3 Disability Living Allowance Advisory Board.
- 4 Management of disability living allowance and attendance allowance etc.
- 5 Regulations supplementary to ss. 1 to 4.

#### *Disability working allowance*

- 6 Introduction of disability working allowance.
- 7 Disability working allowance - supplementary.
- 8 Effect on entitlement to family credit of entitlement to disability working allowance.
- 9 Entitlement to other benefits on termination of employment after period of entitlement to disability working allowance.

#### *General*

- 10 Repeals.
- 11 Supplementary.
- 12 Regulations.
- 13 Provision for Northern Ireland.
- 14 Administrative expenses.
- 15 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 —

*Adjudication*

- 1 The 1975 Act shall be amended as follows.
- 2 In section 98(1)— (a) at the beginning there shall be...
- 3 (1) In subsection (1) of section 99, after the words...

*Reviews and appeals*

- 4 In section 100— (a) in subsection (1), after the word...
- 5 The following sections shall be inserted after that section— Reviews...
- 6 In section 101— (a) in subsection (1), after the words...
- 7 (1) In section 102(1)— (a) after the words “social security...
- 8 The words “ (other than a decision relating to an...
- 9 The following section shall be inserted after that section— Reviews...
- 10 In section 115(2) after the words “social security appeal tribunal,”...
- 11 The following paragraph shall be inserted after section 115A(2)(d)—
- 12 The following paragraph shall be inserted after section 115B(2)(c)—
- 13 The following sections shall be inserted after section 115B—  
References...

*Disability appeal tribunals*

- 14 On the day when this paragraph comes into force, and...
- 15 The following shall be substituted for paragraph 1A(1) of Schedule...
- 16 The following Schedule shall be inserted after that Schedule—  
Schedule...
- 17 In paragraph 7A of Schedule 13 (procedure regulations) after the...

*Financial arrangements*

- 18 The following paragraph shall be inserted after section 135(2)(c)—

*Making of claim condition of entitlement*

- 19 In section 165A(3) for the words from “for an attendance”...

*Interpretation*

- 20 In Schedule 20, in the definition of President for the...

SCHEDULE 2 — Disability Living Allowance and Attendance Allowance:  
Amendments

*Vehicles (Excise) Act 1971 (c. 10)*

- 1 .....

*Tribunals and Inquiries Act 1971 (c. 62)*

- 2 (1) In section 7(3) of the Tribunals and Inquiries Act...

**Changes to legislation:** There are currently no known outstanding effects for the Disability Living Allowance and Disability Working Allowance Act 1991. (See end of Document for details)

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*The 1975 Act*

3 .....  
4 .....  
5 .....

*House of Commons Disqualification Act 1975 (c. 24)*

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

6 In the House of Commons Disqualification Act 1975 and the...

*House of Commons Disqualification Act 1975*

7 In the House of Commons Disqualification Act 1975, in Part...

*Social Security (Miscellaneous Provisions) Act 1977 (c. 5)*

8 .....

*Capital Gains Tax Act 1979 (c. 14)*

9 .....

*Social Security Act 1980 (c. 30)*

10 .....

11 .....

*Transport Act 1982 (c. 49)*

12 In section 70(2)(a) of the Transport Act 1982 (payments in...

*Value Added Tax Act 1983 (c. 55)*

13 .....

*Inheritance Tax Act 1984 (c. 51)*

14 (1) In section 74(4) of the Inheritance Tax Act 1984...

*The 1986 Act*

15 .....

16 .....

17 .....

*Income and Corporation Taxes Act 1988 (c. 1)*

18 In section 617(1)(a) of the Income and Corporation Taxes Act...

*Social Security Act 1989 (c. 24)*

19 .....

*Capital Allowances Act 1990 (c. 1)*

20 .....

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21 .....

*Courts and Legal Services Act 1990 (c. 41)*

22 In Schedule 11 to the Courts and Legal Services Act...

SCHEDULE 3 — Disability Working Allowance: Amendments  
Part I

*Administration*

- 1 The 1986 Act shall be amended as follows.  
2 The following paragraph shall be inserted after section 51(2)(d)—

*Adjudication*

- 3 (1) The following subsection shall be inserted after section 52(3)—...

*Overpayments*

- 4 The following paragraph shall be inserted after section 53(10)(d)—

*Annual up-rating of benefits*

- 5 In section 63— (a) in subsection (1)(i) after the words...

*Reciprocal arrangements*

- 6 In section 65(4) after the words “family credit” there shall...

*Crown employment*

- 7 In section 79(3) after the words “family credit” there shall...

*Financial provision*

- 8 In section 85— (a) the following sub-paragraph shall be inserted...

Part II — AMENDMENTS OF OTHER ACTS

*Child Care Act 1980 (c.5)*

- 9 In section 45(1A) of the Child Care Act 1980 (no...

*Transport Act 1982 (c.49)*

- 10 In section 70(2)(b) of the Transport Act 1982 (payments in...

*Income and Corporation Taxes Act 1988 (c.1)*

- 11 In section 617(2)(a) of the Income and Corporation Taxes Act...

*Education Reform Act 1988 (c.40)*

12 .....

*Children Act 1989 (c.41)*

- 13 In section 17(9) of the Children Act 1989 (no repayment...  
14 In section 29(3) of that Act (no recoupment of costs)...

**Changes to legislation:** *There are currently no known outstanding effects for the Disability Living Allowance and Disability Working Allowance Act 1991. (See end of Document for details)*

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15 In paragraph 21(4) of Part III of Schedule 2 to...

SCHEDULE 4 — Repeals

**Changes to legislation:**

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