

## STATUTORY INSTRUMENTS

# 1976 No. 615

## The Social Security (Medical Evidence) Regulations 1976

### [<sup>F1</sup>Self-certificate for first 7 days of a spell of incapacity for work [<sup>F2</sup>or limited capability for work]

5.—[<sup>F3</sup>(1) [<sup>F4</sup>The evidence of incapacity [<sup>F5</sup>or limited capability for work] required for the purposes of determining entitlement to a benefit, allowance or advantage referred to in regulation 2(1)]—

(a) for a spell of incapacity which lasts less than 8 days, <sup>F6</sup>...

(b) in respect of any of the first 7 days of a longer spell of incapacity;

[<sup>F7</sup>(c) for a period of limited capability for work which lasts less than 8 days; or]

[<sup>F7</sup>(d) in respect of any of the first 7 days of a longer period of limited capability for work.]

may consist of a self certificate instead of a certificate in the form of a statement in writing given by a [<sup>F8</sup>healthcare professional] in accordance with regulation 2(1).]

(2) For the purpose of this regulation—

[<sup>F9</sup>“self-certificate” means either—

(i) a declaration made by the claimant in writing, on a form approved for the purpose by the Secretary of State; or

(ii) where the claimant has made a claim for employment and support allowance in accordance with regulation 4G of the Social Security (Claims and Payments) Regulations 1987, an oral declaration by the claimant,

that the claimant has been unfit for work from a date or for a period specified in the declaration and may include a statement that the claimant expects to continue to be unfit for work on days subsequent to the date on which it is made;.]

[<sup>F10</sup>“spell of incapacity” has the meaning given to it by section 171B(3) of the Contributions and Benefits Act.]]

**F1** Reg. 5 inserted (14.6.1982) by The Social Security (Medical Evidence, Claims and Payments) Amendment Regulations 1982 (S.I. 1982/699), regs. 1(1), **2(2)**

**F2** Words in reg. 5 heading inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **68(4)(a)**

**F3** Reg. 5(1) substituted (9.10.1989) by The Social Security (Medical Evidence, Claims and Payments) Amendment Regulations 1989 (S.I. 1989/1686), regs. 1(1), **2**

**F4** Words in reg. 5(1) substituted (13.4.1995) by The Social Security (Medical Evidence) Amendment Regulations 1994 (S.I. 1994/2975), regs. 1(1), **2(4)(a)**

**F5** Words in reg. 5(1) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **68(4)(b)(i)**

**F6** Word in reg. 5(1)(a) omitted (27.10.2008) by virtue of The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **68(4)(b)(ii)**

**F7** Reg. 5(1)(c)(d) inserted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **68(4)(b)(iii)**

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- F8** Words in reg. 5(1) substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(4)**
- F9** Words in reg. 5(2) substituted (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **68(4)(c)**
- F10** Words in reg. 5(2) substituted (13.4.1995) by The Social Security (Medical Evidence) Amendment Regulations 1994 (S.I. 1994/2975), regs. 1(1), **2(4)(b)**

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