
STATUTORY INSTRUMENTS

1986 No. 1933

SOCIAL SECURITY

The Social Security (Severe Disablement Allowance) Amendment Regulations 1986

<i>Made</i>	- - -	12th November 1986
<i>Laid before Parliament</i>		17th November 1986
<i>Coming into Operation</i>		8th December 1986

The Secretary of State for Social Services in exercise of powers conferred on him by sections 36(7)(d) and 115(1) of and Schedule 13 paragraph 2 and Schedule 20 to the Social Security Act 1975(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these regulations should not be referred to it(b), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Social Security (Severe Disablement Allowance) Amendment Regulations 1986 and shall come into operation on 8th December 1986.

Amendment of the Social Security (Severe Disablement Allowance) Regulations 1984

2.—(1) The Social Security (Severe Disablement Allowance) Regulations 1984(c) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 9(d) (disqualification for receiving severe disablement allowance for failure to observe rules of behaviour) for the words from “are ordinarily” to the end there shall be substituted “are ordinarily not more than the sum specified in regulation 3(3) of the Social Security (Unemployment Sickness and Invalidity Benefit) Regulations 1983(d)”.

(3) Regulation 10 (adjudication) shall be amended in the following manner:—

(a) after paragraph (1)(f) there shall be inserted —

“(ff) evidence that he has been certified as blind or partially sighted and that in consequence he is or was registered on that day as blind or partially sighted in a register maintained by or on behalf of a regional or islands council;”;

(a) 1975 c.14; for section 36 as now substituted see the Health and Social Security Act 1984 (c.48), section 11(1) and see the definition of “Regulations” in Schedule 20.

(b) See section 61(1)(b) of the Social Security Act 1986 (c.50).

(c) S.I. 1984/1303.

(d) S.I. 1983/1598; relevant amending instrument is S.I. 1986/1118.

(b) after paragraph (1)(g) there shall be inserted —

“(gg) evidence that on that day the Secretary of State provides or provided him with an invalid carriage or other vehicle under section 46 of the National Health Service (Scotland) Act 1978(a) or makes or made payments by way of grant to him under that section;”;

(c) after paragraph (2) there shall be inserted —

“(2A) For the purposes of paragraphs (1)(g) and (1)(gg) “invalid carriage or other vehicle” means a vehicle propelled by petrol engine or by electric power supplied for use on the road and to be controlled by the occupant.”.

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

John Major,
Minister of State,
Department of Health and Social Security.

12th November 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Regulation 2 of these regulations amends regulations 9 and 10 of the Social Security (Severe Disablement Allowance) Regulations 1984. Regulation 9 is amended so that a person who is entitled to severe disablement allowance may undertake work under medical supervision as part of his treatment, or work which he has good cause to do, without losing his right to benefit, so long as his earnings are ordinarily not more than a specified sum, currently £25.50 a week.

Regulation 10(1) is amended so as to require a person's disablement to be assessed at not less than 80 per cent. in any case where —

- (a) he is provided with an invalid carriage or vehicle under section 46 of the National Health Service (Scotland) Act 1978 or payments by way of grant under that section; or
- (b) he is certified as blind or partially sighted and registered as such.

(a) 1978 c.29.