
STATUTORY INSTRUMENTS

1990 No. 2209

The Social Security (Severe Disablement Allowance) Amendment Regulations 1990

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

2. After Part II of the Social Security (Severe Disablement Allowance) Regulations 1984⁽¹⁾ (miscellaneous provisions relating to severe disablement allowance) there shall be inserted the following Part —

“PART IIA

SEVERE DISABLEMENT ALLOWANCE: AGE RELATED ADDITION

Circumstances in which a person is to be treated as having qualified for severe disablement allowance

10A. A person shall be treated as having qualified for severe disablement allowance for the purposes of section 36A of the Act⁽²⁾ (which applies to an age related addition in a severe disablement allowance) —

- (a) where he is a person to whom regulation 20 (persons formerly entitled to non-contributory invalidity pension) applies, on his first day of incapacity for work in a period of not less than 196 consecutive days which preceded the first day of his entitlement to a non-contributory invalidity pension;
- (b) where he has been continuously incapable of work for a period of longer than 196 consecutive days, on his first day of incapacity in that period;
- (c) where he is a person to whom regulation 6 (modification of section 36(2) and (3) of the Act etc.) applies, on his first day of incapacity for work in a period of not less than 196 consecutive days which immediately preceded the first day on which he was previously entitled to a severe disablement allowance.

Circumstances in which days are to be treated as days of incapacity for work

10B. Where a person is treated as incapable of work for the purposes of section 36(2)(b) of the Act because regulation 7(3) (days for which persons are to be regarded as incapable of work etc.) applies to him, the days on which he was treated as incapable of work under regulation 7(3), shall be treated as days of incapacity for work for the purpose of determining the day on which he qualified for severe disablement allowance under section 36A of the Act.”.

(1) S.I.1984/1303, to which there are no relevant amendments.

(2) Section 36A was inserted into the Social Security Act 1975 by section 2(1) of the Social Security Act 1990. Section 2(1) came into force on 1st October 1990 for the purposes of authorising regulations and comes into force for all other purposes on 3rd December 1990. See S.I. 1990/1942.

Status: This is the original version (as it was originally made).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