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STATUTORY INSTRUMENTS

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**1993 No. 3194**

**SOCIAL SECURITY**

**The Social Security (Severe Disablement Allowance) Amendment Regulations 1993**

*Made* - - - - 20th December 1993  
*Laid before Parliament* 23rd December 1993  
*Coming into force* - - 13th January 1994

The Secretary of State in exercise of powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup>, being designated for the purpose of section 2(2) of that Act in respect of matters relating to the equal treatment of men and women in relation to severe disablement allowance<sup>(2)</sup>, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Severe Disablement Allowance) Amendment Regulations 1993 and shall come into force on 13th January 1994.

(2) In these Regulations “the principal Regulations” means the Social Security (Severe Disablement Allowance) Regulations 1984<sup>(3)</sup>.

**Amendment of regulation 20 of the principal Regulations**

2. In regulation 20 of the principal Regulations (persons formerly entitled to non-contributory invalidity pension) there shall be inserted after paragraph (1) the following paragraph:

“(1A) A woman who—

- (a) would have been entitled to a non-contributory invalidity pension immediately before 29th November 1984, but for the requirement that she be incapable of performing normal household duties (whether or not she made a claim for that pension), and
- (b) has been continuously incapable of work since that date,

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(1) 1972 c. 68.

(2) S.I.1993/1571.

(3) S.I. 1984/1303 to which there are amendments not relevant to these Regulations.

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shall be entitled to a severe disablement allowance, whether or not she is disabled for the purposes of section 68 of the Social Security Contributions and Benefits Act 1992(4) and whether or not she has attained the age referred to in subsection (4)(d) of that section, if she satisfies the other requirements for entitlement to that allowance.”.

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

20th December 1993

*Nicholas Scott*  
Minister of State,  
Department of Social Security

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## EXPLANATORY NOTE

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

These Regulations implement Council Directive [79/7/EEC](#)(5) on the progressive implementation of the principle of equal treatment for men and women on matters of social security in so far as that Directive is relevant to the transitional arrangements for the introduction of severe disablement allowance.

Under Regulation 20 of the Social Security (Severe Disablement Allowance) Regulations 1984, persons who were entitled to a non-contributory invalidity pension immediately before 29th November 1984 automatically became entitled to a severe disablement allowance. These Regulations extend that entitlement to certain women who had failed to qualify for a non-contributory invalidity pension because of a condition which applied to married women.

These Regulations do not impose any costs on business.

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(5) OJNo. L 6, 10.1.79, p.24.