
STATUTORY INSTRUMENTS

1994 No. 2926 (C.65)

SOCIAL SECURITY

**The Social Security (Incapacity for Work)
Act 1994 (Commencement) Order 1994**

Made - - - - 17th November 1994

The Secretary of State for Social Security, in exercise of the powers conferred by section 16(3) of the Social Security (Incapacity for Work) Act 1994⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Social Security (Incapacity for Work) Act 1994 (Commencement) Order 1994.

(2) In this Order, unless the context otherwise requires, references to sections and Schedules are references to sections of and Schedules to the Social Security (Incapacity for Work) Act 1994.

Appointed days

2.—(1) The day appointed for the coming into force of the sections specified in Part I of the Schedule to this Order is 18th November 1994.

(2) The day appointed for the coming into force of the sections specified in Part II of the Schedule to this Order—

(a) for the purpose only of authorising the making of regulations expressed to come into force on 13th April 1995, is 18th November 1994; and

(b) for all other purposes, is 13th April 1995.

(3) The day appointed for the coming into force of the section specified in Part III of the Schedule to this Order is 6th April 1995.

(4) The day appointed for the coming into force of the sections and Schedules specified in Part IV of the Schedule to this Order is 13th April 1995.

Status: This is the original version (as it was originally made).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

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

17th November 1994

William Hague
Minister of State,
Department of Social Security

SCHEDULE

Article 2

PART I

PROVISIONS COMING INTO FORCE ON 18th NOVEMBER 1994

<i>Provisions of the Social Security (Incapacity for Work) Act 1994</i>	<i>Subject Matter</i>
Section 2(3) and (7)	Up-rating of incapacity benefit.
Section 4	Power to provide for the transition to incapacity benefit.
Section 7	Power to provide for the transition to the new test of incapacity for work.
Section 8(2)	Up-rating of statutory sick pay.
Section 9(4)	Up-rating of severe disablement allowance.
Section 12	General power to make transitional and consequential provisions.

PART II

PROVISIONS COMING INTO FORCE ON 18th NOVEMBER 1994
FOR THE PURPOSES ONLY OF THE MAKING OF REGULATIONS
AND FOR ALL OTHER PURPOSES ON 13TH APRIL 1995

<i>Provisions of the Social Security (Incapacity for Work) Act 1994</i>	<i>Subject Matter</i>
Section 2(1) and (5)	Rate of incapacity benefit.
Section 3(1)	Supplementary provisions relating to incapacity benefit.
Section 5	Test of incapacity for work.
Section 6	Supplementary provisions and adjudication relating to test of incapacity for work.
Section 9(1), (2) and (3)	Severe disablement allowance.
Section 10(1) and (3)	Disability working allowance.

PART III

PROVISIONS COMING INTO FORCE ON 6TH APRIL 1995

<i>Provisions of the Social Security (Incapacity for Work) Act 1994</i>	<i>Subject Matter</i>
Section 8(1), (3) and (4)	Rate of statutory sick pay.

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

PART IV

PROVISIONS COMING INTO FORCE ON 13TH APRIL 1995

<i>Provisions of the Social Security (Incapacity for Work) Act 1994</i>	<i>Subject Matter</i>
Section 1	Entitlement to incapacity benefit.
Section 2(2), (4) and (6)	Rate of incapacity benefit.
Section 3(2)	Amendment of Schedule 3 to the Social Security Contributions and Benefits Act 1992 ⁽²⁾ (contribution conditions).
Section 10(2)	Amendment of section 129(1) of the Social Security Contributions and Benefits Act 1992 (disability working allowance).
Section 11 and Schedules 1 and 2	Consequential amendments and repeals.
Section 13	Saving for existing enactments.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of the Social Security (Incapacity for Work) Act 1994. The commencement dates are—

- (a) 18th November 1994 for the purposes of—
 - (i) enabling regulations to be made; and
 - (ii) up-rating the rate of incapacity benefit and statutory sick pay;
- (b) 6th April 1995 for the purposes of the rate of statutory sick pay; and
- (c) 13th April 1995 for all remaining purposes.

⁽²⁾ 1992 c. 4.