
STATUTORY INSTRUMENTS

2008 No. 2928

**The Social Security (Incapacity Benefit
Work-focused Interviews) Regulations 2008**

Interpretation

2.—(1) In these Regulations—

“the 1998 Act” means the Social Security Act 1998 ^{M1};

“the 2000 Regulations” means the Social Security (Work-focused Interviews) Regulations 2000 ^{M2};

“the 2001 Regulations” means the Social Security (Jobcentre Plus Interviews) Regulations 2001 ^{M3};

“the 2002 Regulations” means the Social Security (Jobcentre Plus Interviews) Regulations 2002 ^{M4};

“the 2003 Regulations” means the Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003 ^{M5};

“action plan” has the meaning given by regulation 7;

“benefit week” means any period of seven days corresponding to the week in respect of which the relevant specified benefit is due to be paid;

[^{F1}“lone parent” has the meaning it bears in section 24(3A) of the Welfare Reform Act 2007;]

[^{F2}“pensionable age”, in the case of a man born before 6th April 1955, means the age when a woman born on the same day as the man would attain pensionable age;]

“relevant claimant” has the meaning given by regulation 3;

“relevant decision” has the meaning given by section 2B(2) of the Social Security Administration Act 1992 (supplementary provisions relating to work-focused interviews);

“specified benefit” means—

- (a) incapacity benefit;
- (b) income support, if any of the following paragraphs of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations 1987 ^{M6} applies—
 - (i) paragraph 7 (^{F3}persons treated as capable of work and persons entitled to statutory sick pay);
 - (ii) paragraph 24 or 25 (persons appealing against a decision which embodies a determination that they are not [^{F4}incapable] of work);
- (c) severe disablement allowance;

“work-focused interview” means an interview conducted under regulation 6 for the purposes described in regulation 4.

(2) Any notification under these Regulations that is sent by post is to be taken to have been received on the second working day after posting.

[^{F5}(3) For the purposes of section 2A(2A) of the Social Security Administration Act 1992, and regulation 3(6), a lone parent is to be treated as responsible for, and a member of the same household as, a child under the age of one only where the lone parent would be treated as responsible for and a member of the same household as such a child under regulations 15 and 16 of the Income Support (General) Regulations 1987 if references in those regulations to income support were to a specified benefit.]

Textual Amendments

- F1** Words in reg. 2(1) inserted (31.10.2011) by [The Social Security \(Work-focused Interviews for Lone Parents and Partners\) \(Amendment\) Regulations 2011 \(S.I. 2011/2428\)](#), regs. 1, **6(2)(a)**
- F2** Words in reg. 2(1) inserted (6.4.2010) by [Social Security \(Work-focused Interviews etc.\) \(Equalisation of State Pension Age\) Amendment Regulations 2010 \(S.I. 2010/563\)](#), regs. 1, **8(2)**
- F3** Words in reg. 2(1) substituted (30.12.2009) by [The Income Support \(Prescribed Categories of Person\) Regulations 2009 \(S.I. 2009/3152\)](#), regs. 1, **3(6)** (with reg. 3(7))
- F4** Word in reg. 2(1)(b)(ii) substituted (26.10.2009) by [Social Security \(Incapacity Benefit Work-focused Interviews\) \(Amendment\) Regulations 2009 \(S.I. 2009/1541\)](#), regs. 1(1), **2(2)**
- F5** Reg. 2(3) inserted (31.10.2011) by [The Social Security \(Work-focused Interviews for Lone Parents and Partners\) \(Amendment\) Regulations 2011 \(S.I. 2011/2428\)](#), regs. 1, **6(2)(b)**

Marginal Citations

- M1** 1998 c. 14.
- M2** [S.I. 2000/897](#). Provisions of the 2000 Regulations were revoked by regulation 16(1) of, and Schedule 1 to, the [Social Security \(Jobcentre Plus Interviews\) Regulations 2002 \(S.I. 2002/1703\)](#), however under regulation 16(2) of the 2002 Regulations, the revoked provisions are saved in respect of a specified person to whom those Regulations applied on the day before the revocations took effect.
- M3** [S.I. 2001/3210](#). Provisions of the 2001 Regulations were revoked by regulation 16(1) of, and Schedule 1 to, the [Social Security \(Jobcentre Plus Interviews\) Regulations 2002 \(S.I. 2002/1703\)](#), however under regulation 16(2) of the 2002 Regulations, the revoked provisions are saved in respect of a specified person to whom those Regulations applied on the day before the revocations took effect.
- M4** [S.I. 2002/1703](#).
- M5** [S.I. 2003/2439](#).
- M6** [S.I. 1987/1967](#). Schedule 1B was inserted by regulation 22 of [S.I. 1996/206](#). Paragraph 24 of Schedule 1B was amended by [S.I. 1999/2422](#). Paragraph 25 of Schedule 1B was amended by [S.I. 1999/2422](#) and 3109 and [S.I. 2005/337](#).

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2008, Section 2.