

2006 No. 757

SOCIAL SECURITY

The Social Security (Incapacity for Work) Amendment Regulations 2006

<i>Made</i> - - - -	<i>14th March 2006</i>
<i>Laid before Parliament</i>	<i>20th March 2006</i>
<i>Coming into force</i> -	<i>10th April 2006</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 171D and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a).

In accordance with section 172(1) of the Social Security Administration Act 1992(b) he has referred the proposals to make these Regulations to the Social Security Advisory Committee(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Incapacity for Work) Amendment Regulations 2006 and shall come into force on 10th April 2006.

(2) In these Regulations “the principal Regulations” means the Social Security (Incapacity for Work) (General) Regulations 1995(d).

[Regulations 2, 3 and 4 amends regulations 13A, 16 and 17 of S.I.1995/311.]

Transitional

5.—(1) This regulation applies for the purposes of regulation 17(4)(a) of the principal Regulations as amended by these Regulations.

(2) This regulation applies where, before 10th April 2006, a person did work in a specified period in accordance with paragraph (1B)(b), (1C)(b) or (1D)(b) of regulation 17 as it then was of the principal Regulations and the specified period would have ended after 9th April 2006.

(3) Where the specified period is the one to which paragraphs (1B)(b) or (1C)(b) of regulation 17 applied, the 52 week period beginning on the first day on which the work is done referred to in regulation 17(4)(a) shall be treated as beginning on the first day of the period specified in regulation 17(1B)(b).

(a) 1992 c. 4. Section 171D was inserted by section 6(1) of the Social Security (Incapacity for Work) Act 1994 (c. 18). Section 175(1) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).

(b) 1992 c. 5.

(c) See section 170 of the Social Security Administration Act 1992.

(d) S.I. 1995/311, relevant amending instruments are S.I. 1995/987, 1996/3207, 1998/2231, 1999/2860, 3109, 2000/678, 2002/491, 2005/2446.

(4) Where the specified period is the one to which regulation 17(1D)(b) applied, the 52 week period beginning on the first day on which the work is done referred to in regulation 17(4)(a) shall be treated as beginning on the first day of the period specified in regulation 17(1D)(b).

Signed by authority of the Secretary of State for Work and Pensions.

14th March 2006

Anne McGuire
Parliamentary Under Secretary of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Incapacity for Work) (General) Regulations 1995 (“the principal Regulations”).

Regulation 2, by amending the requirement to give notice and the definition of “immediate past period of incapacity for work”, enlarges the class of welfare to work beneficiaries to whom the linking term in regulation 13A of the principal Regulations applies.

Regulation 3 substitutes regulation 16 of the principal Regulations which describes persons who are treated as capable of work.

Regulation 4 substitutes regulation 17 of the principal Regulations which describes categories of exempt work.

Regulation 5 makes transitional provision in respect of work in a period which began before these Regulations come into force.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

