



# Social Security Act 1990

## 1990 CHAPTER 27

### *Benefits*

#### **2 Severe disablement allowance: age related addition**

- (1) After section 36 of the principal Act (severe disablement allowance) there shall be inserted the following section—

##### **“36A Severe disablement allowance: age related addition**

- (1) If a person was under the age of 60 on the day on which he qualified for severe disablement allowance, the weekly rate of his severe disablement allowance shall be increased by an age related addition at whichever of the weekly rates specified in the second column of paragraph 2A of Part III of Schedule 4 to this Act is applicable in his case, that is to say—
- (a) the higher rate, if he was under the age of 40 on the day on which he qualified for severe disablement allowance;
  - (b) the middle rate, if he was between the ages of 40 and 50 on that day; or
  - (c) the lower rate, if he was between the ages of 50 and 60 on that day.
- (2) Subject to subsection (4) below, for the purposes of this section the day on which a person qualified for severe disablement allowance is his first day of incapacity for work in the period of not less than 196 consecutive days mentioned in section 36(2)(b) or (3)(b) above, as the case may be, which preceded the first day in his current period of entitlement.
- (3) For the purposes of this section, a person’s “current period of entitlement” is a current period—
- (a) which consists of one or more consecutive days on which he is or has been entitled to a severe disablement allowance; and
  - (b) which begins immediately after the last period of one or more consecutive days for which he was not entitled to such an allowance.
- (4) Regulations—

---

*Status: This is the original version (as it was originally enacted).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

---

- (a) may prescribe cases where a person is to be treated for the purposes of this section as having qualified for severe disablement allowance on a prescribed day earlier than the day ascertained in accordance with subsection (2) above;
- (b) may provide for days which are not days of incapacity for work in relation to a person to be treated as days of incapacity for work for the purpose of determining under this section the day on which he qualified for severe disablement allowance; and
- (c) may make provision for disregarding prescribed days in computing any period of consecutive days for the purposes of subsection (3) above.”
- (2) In Part III of Schedule 4 to that Act, after paragraph 2 (weekly rate of severe disablement allowance) there shall be inserted the following—
- |   |                 |       |
|---|-----------------|-------|
| “2A. Age related addition (section 36A).                                    | (a) Higher rate | 10.00 |
|   | (b) Middle rate | 6.20  |
|   | (c) Lower rate  | 3.10  |
| (the appropriate rate being determined in accordance with section 36A(1))”. |                 |       |
- (3) In consequence of subsections (1) and (2) above, in section 34(1)(b) of that Act (which specifies severe disablement allowance as one of the non-contributory benefits under Chapter II of Part II of that Act) after the word “(with” there shall be inserted the words “age related addition and”.