



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

PART V

BENEFIT FOR INDUSTRIAL INJURIES

Disablement pension

103 Disablement pension.

- (1) Subject to the provisions of this section, an employed earner shall be entitled to disablement pension if he suffers as the result of the relevant accident from loss of physical or mental faculty such that the assessed extent of the resulting disablement amounts to not less than 14 per cent. or, on a claim made before 1st October 1986, 20 per cent.
- (2) In the determination of the extent of an employed earner's disablement for the purposes of this section there may be added to the percentage of the disablement resulting from the relevant accident the assessed percentage of any present disablement of his—
 - (a) which resulted from any other accident ^{F1}... arising out of and in the course of his employment, being employed earner's employment, and
 - (b) in respect of which a disablement gratuity was not paid to him after a final assessment of his disablement,(as well as any percentage which may be so added in accordance with regulations under subsection (2) of section 109 below made by virtue of subsection (4)(b) of that section).
- (3) Subject to subsection (4) below, where the assessment of disablement is a percentage between 20 and 100 which is not a multiple of 10, it shall be treated—
 - (a) if it is a multiple of 5, as being the next higher percentage which is a multiple of 10, and

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Changes to legislation: *Social Security Contributions and Benefits Act 1992, Section 103 is up to date with all changes known to be in force on or before 09 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) if it is not a multiple of 5, as being the nearest percentage which is a multiple of 10,
and where the assessment of disablement on a claim made on or after 1st October 1986 is less than 20 per cent., but not less than 14 per cent., it shall be treated as 20 per cent.
- (4) Where subsection (2) above applies, subsection (3) above shall have effect in relation to the aggregate percentage and not in relation to any percentage forming part of the aggregate.
- (5) In this Part of this Act “assessed”, in relation to the extent of any disablement, means assessed in accordance with Schedule 6 to this Act; and for the purposes of that Schedule there shall be taken to be no relevant loss of faculty when the extent of the resulting disablement, if so assessed, would not amount to 1 per cent.
- (6) A person shall not be entitled to a disablement pension until after the expiry of the period of 90 days (disregarding Sundays) beginning with the day of the relevant accident.
- (7) Subject to subsection (8) below, where disablement pension is payable for a period, it shall be paid at the appropriate weekly rate specified in Schedule 4, Part V, paragraph 1.
- (8) Where the period referred to in subsection (7) above is limited by reference to a definite date, the pension shall cease on the death of the beneficiary before that date.

Textual Amendments

- F1** Words in s. 103(2)(a) repealed (30.10.2012 for specified purposes, 5.12.2012 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 64\(1\)\(b\)](#), 150(3); S.I. 2012/2530, [art. 2\(5\)\(a\)\(6\)\(a\)](#)

Modifications etc. (not altering text)

- C1** Ss. 103-105 modified (6.10.1997) by [Social Security \(Recovery of Benefits\) Act 1997 \(c. 27\)](#), [ss. 8, 34\(2\)](#), [Sch. 2](#) (with s. 28); S.I. 1997/2085, [art. 2\(2\)](#)
- C2** S. 103(6) modified by [The Social Security \(Industrial Injuries\) \(Prescribed Diseases\) Regulations 1985 \(S.I. 1985/967\)](#), [reg. 20B\(2\)\(a\)](#) (as inserted (6.4.2006) by S.I. 2006/586, [regs. 1\(1\), 2](#))

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