

Status: Point in time view as at 01/12/2000.

Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 8

WELFARE BENEFITS: MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

INCAPACITY

Social Security Contributions and Benefits Act 1992 (c.4)

20 The Contributions and Benefits Act has effect subject to the following amendments.

21 In section 21 (contribution conditions)—

- (a) in subsection (1), after “other than” insert “ short-term incapacity benefit under subsection (1)(b) of section 30A below, ” and for “30A below” substitute “ subsection (5) of that section ”; and
- (b) in subsection (2), for “30A” substitute “ 30A(1)(a) ”.

Commencement Information

- II** Sch. 8 para. 21 wholly in force at 6.4.2001; Sch. 8 para. 21 in force for certain purposes at 3.11.2000 and for all other purposes at 6.4.2001 by S.I. 2000/2958, art. 2(3)(e)(4)(5) (subject to arts. 3, 4) (as amended (13.3.2001) by S.I. 2001/933, art. 3)

22 In section 30B (incapacity benefit: rate), at the end add—

“(8) This section has effect subject to sections 30DD (reduction for pension payments) and section 30E (reduction for councillor’s allowance) below.”

Commencement Information

- I2** Sch. 8 para. 22 wholly in force at 6.4.2001; Sch. 8 para. 22 in force for certain purposes at 3.11.2000 and for all other purposes at 6.4.2001 by S.I. 2000/2958, art. 2(3)(e)(4)(5) (subject to arts. 3, 4) (as amended (13.3.2001) by S.I. 2001/933, art. 3)

23 (1) Section 171A (test of incapacity for work) is amended as follows.

(2) After subsection (2) insert—

“(2A) In subsection (2)(a) above the reference to such information or evidence as is there mentioned includes information or evidence capable of being used for assisting or encouraging the person in question to obtain work or enhance his prospects of obtaining it.”

(3) In subsection (3) (requirement to have medical examination), for “a question arises as to” substitute “ it falls to be determined ”.

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(4) After subsection (4) add—

“(5) All information supplied in pursuance of this section shall be taken for all purposes to be information relating to social security.”

Commencement Information

I3 Sch. 8 para. 23 partly in force at 2.4.2000; Sch. 8 para. 23 in force for certain purposes at Royal Assent see s. 89(5)(c); Sch. 8 para. 23(1)(2)(4) in force insofar as not already in force at 13.12.1999 by S.I. 1999/3309, art. 2(2)(b)

24 In section 171B(1) (the “own occupation test”), for “the test applicable is the own occupation test” substitute “ the own occupation test is applicable in his case. ”

25 In section 176 (parliamentary control), in subsection (1)(a) (regulations subject to affirmative resolution procedure), after “section 28(3);” insert—

“section 30DD(5)(b) or (c);”.

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