



# Disability Living Allowance and Disability Working Allowance Act 1991

## CHAPTER 21

### DISABILITY LIVING ALLOWANCE AND DISABILITY WORKING ALLOWANCE ACT 1991

#### *Disability living allowance*

- 1 Introduction of disability living allowance
- 2 Attendance allowance and mobility allowance
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SCHEDULES

SCHEDULE 1 — Management of Disability Living Allowance and Attendance Allowance

*Adjudication*

- 1 The 1975 Act shall be amended as follows.
- 2 In section 98(1)— (a) at the beginning there shall be...
- 3 (1) In subsection (1) of section 99, after the words...

*Reviews and appeals*

- 4 In section 100— (a) in subsection (1), after the word...
- 5 The following sections shall be inserted after that section— Reviews...
- 6 In section 101— (a) in subsection (1), after the words...
- 7 (1) In section 102(1)— (a) after the words “social security...
- 8 The words “(other than a decision relating to an attendance...
- 9 The following section shall be inserted after that section— Reviews...
- 10 In section 115(2) after the words “social security appeal tribunal,”...
- 11 The following paragraph shall be inserted after section 115A(2)(d)—
- 12 The following paragraph shall be inserted after section 115B(2)(c)—
- 13 The following sections shall be inserted after section 115B—  
References...

*Disability appeal tribunals*

- 14 On the day when this paragraph comes into force, and...
- 15 The following shall be substituted for paragraph 1A(1) of Schedule...
- 16 The following Schedule shall be inserted after that Schedule—  
Schedule...
- 17 In paragraph 7A of Schedule 13 (procedure regulations) after the...

*Financial arrangements*

- 18 The following paragraph shall be inserted after section 135(2)(c)—

*Making of claim condition of entitlement*

- 19 In section 165A(3) for the words from “for an attendance”...

*Interpretation*

- 20 In Schedule 20, in the definition of President for the...

SCHEDULE 2 — Disability Living Allowance and Attendance Allowance:  
Amendments

*Vehicles (Excise) Act 1971 (c. 10)*

- 1 In section 7(2) of the Vehicles (Excise) Act 1971 (exemption...

*Tribunals and Inquiries Act 1971 (c. 62)*

- 2 (1) In section 7(3) of the Tribunals and Inquiries Act...

*The 1975 Act*

- 3 (1) In subsection (2B)(b) (which relates to attendance allowance for...  
4 In section 37(2) of that Act (invalid care allowance) after...  
5 In subsection (4) of section 165D of that Act (restrictions...

*House of Commons Disqualification Act 1975 (c. 24)*

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 6 In the House of Commons Disqualification Act 1975 and the...

*House of Commons Disqualification Act 1975*

- 7 In the House of Commons Disqualification Act 1975, in Part...

*Social Security (Miscellaneous Provisions) Act 1977 (c. 5)*

- 8 In section 13(1) of the Social Security (Miscellaneous Provisions) Act...

*Capital Gains Tax Act 1979 (c. 14)*

- 9 (1) In sub-paragraph (1) of paragraph 5 of Schedule 1...

*Social Security Act 1980 (c. 30)*

- 10 At the end of subsection (2) of section 17 of...  
11 The following sub-paragraphs shall be substituted for paragraph 12(3)  
of...

*Transport Act 1982 (c. 49)*

- 12 In section 70(2)(a) of the Transport Act 1982 (payments in...

*Value Added Tax Act 1983 (c. 55)*

- 13 (1) In item 12 of Group 14 (drugs, medicines, aids...

*Inheritance Tax Act 1984 (c. 51)*

- 14 (1) In section 74(4) of the Inheritance Tax Act 1984...

*The 1986 Act*

- 15 The words “(other than attendance allowance and disability living  
allowance)”...  
16 In section 63 of that Act (annual up-rating of benefits)—...  
17 In Schedule 6 to that Act (Christmas bonus for pensioners),...

*Income and Corporation Taxes Act 1988 (c. 1)*

- 18 In section 617(1)(a) of the Income and Corporation Taxes Act...

*Social Security Act 1989 (c. 24)*

- 19 In Part I of Schedule 2 to the Social Security...

*Capital Allowances Act 1990 (c. 1)*

- 20 In section 22(6)(a) of the Capital Allowances Act 1990 (first-year...  
21 In section 36(4)(a) of that Act (definition of “motor car”)...

*Courts and Legal Services Act 1990 (c. 41)*

- 22 In Schedule 11 to the Courts and Legal Services Act...

SCHEDULE 3 — Disability Working Allowance: Amendments  
Part I — AMENDMENTS OF 1986 ACT

*Administration*

- 1 The 1986 Act shall be amended as follows.  
2 The following paragraph shall be inserted after section 51(2)(d)—

*Adjudication*

- 3 (1) The following subsection shall be inserted after section 52(3)—...

*Overpayments*

- 4 The following paragraph shall be inserted after section 53(10)(d)—

*Annual up-rating of benefits*

- 5 In section 63— (a) in subsection (1)(i) after the words...

*Reciprocal arrangements*

- 6 In section 65(4) after the words “family credit” there shall...

*Crown employment*

- 7 In section 79(3) after the words “family credit” there shall...

*Financial provision*

- 8 In section 85— (a) the following sub-paragraph shall be inserted...  
Part II — AMENDMENTS OF OTHER ACTS

*Child Care Act 1980 (c. 5)*

- 9 In section 45(1A) of the Child Care Act 1980 (no...

*Transport Act 1982 (c. 49)*

- 10 In section 70(2)(b) of the Transport Act 1982 (payments in...

*Income and Corporation Taxes Act 1988 (c. 1)*

- 11 In section 617(2)(a) of the Income and Corporation Taxes Act...

*Education Reform Act 1988 (c. 40)*

- 12 In section 110(3)(b) of the Education Reform Act 1988 (charges...

*Children Act 1989 (c. 41)*

- 13 In section 17(9) of the Children Act 1989 (no repayment...  
14 In section 29(3) of that Act (no recoupment of costs)...  
15 In paragraph 21(4) of Part III of Schedule 2 to...

SCHEDULE 4 — Repeals