



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

[^{F1}PART XIII

INCAPACITY FOR WORK

[^{F1} ^{F2}171D] **Incapacity for work: persons to be treated as incapable or capable of work.**

- (1) Regulations may provide that a person shall be treated as capable of work, or as incapable of work, in such cases or circumstances as may be prescribed.
- (2) Regulations may, in particular, provide that a person shall be treated as capable of work if he does work of a prescribed description, or more than the prescribed amount of work of a prescribed description.

Accordingly regulations may provide that a person shall not be treated as capable of work by reason only of his doing such work as may be prescribed, or no more than the prescribed amount of work of a prescribed description.]]

Textual Amendments

- F1** Pt. 12A inserted (18.11.1994 for specified purposes, 13.4.1995 in so far as not already in force) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), **ss. 5**, 16(3) (with **ss. 4**, 7); S.I. 1994/2926, art. 2(2), Sch. Pt. 2 (with [The Social Security \(Incapacity Benefit\) \(Transitional\) Regulations 1995 \(S.I. 1995/310\)](#), regs. 1(1), 11, 17, 29)
- F2** Ss. 171D-171G inserted (18.11.1994 for specified purposes, 13.4.1995 in so far as not already in force) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), **ss. 6(1)**, 16(3); S.I. 1994/2926, art. 2(2), Sch. Pt. 2

Modifications etc. (not altering text)

- C1** S. 171D restricted (18.11.1994 for specified purposes, 13.4.1995 in so far as not already in force) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#), **ss. 6(3)(a)**, 16(3); S.I. 1994/2926, art. 2(2), Sch. Pt. 2

Changes to legislation: Social Security Contributions and Benefits Act 1992, Section 171D is up to date with all changes known to be in force on or before 18 July 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) [View outstanding changes](#)

C2 S. 171D power to make regulations modified (21.5.1998) by [Social Security Act 1998 \(c. 14\), ss. 77, 87\(2\)\(a\)](#)

Changes to legislation:

Social Security Contributions and Benefits Act 1992, Section 171D is up to date with all changes known to be in force on or before 18 July 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.

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Changes and effects yet to be applied to :

- s. 171A-171G repealed by [2007 c. 5 Sch. 3 para. 9\(12\)Sch. 8](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2010/875 revoked (27.8.2010) before coming into force by S.I. 2010/1906, regs. 1(2), 2)
- Act restricted by [S.I. 1995/471 art. 32\(4\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 8ZA inserted by [2009 c. 24 s. 16\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Pt. 12ZE inserted by [2023 c. 20 Sch. para. 5](#)
- s. 4(1)(a)(viii) and word inserted by [2023 c. 20 Sch. para. 11\(b\)](#)
- s. 4C(5)(i)(j) repealed by [2007 c. 22 Sch. 4 para. 42\(3\)\(c\)Sch. 7 Pt. 7](#)
- s. 11A(1)(eb) inserted by [2021 c. 26 Sch. 27 para. 12](#) (This amendment not applied to [legislation.gov.uk](#). The existing section 11A of Act repealed by paragraph 4(1) of the Schedule to the National Insurance Contributions (Reduction in Rates) Act 2023 (c. 57))
- s. 30B(4)(aa) inserted by [2012 c. 5 Sch. 9 para. 4](#)
- s. 35(1)(e) and word inserted by [2012 c. 5 s. 63\(2\)\(a\)](#)
- s. 35(3)(za) inserted by [2012 c. 5 s. 63\(2\)\(b\)](#)
- s. 45(2A)(a) words substituted by [2011 c. 19 Sch. 3 para. 2\(3\)\(b\)](#)
- s. 45(2A)(b) substituted by [2011 c. 19 Sch. 3 para. 2\(3\)\(c\)](#)
- s. 46(5)(6) inserted by [2008 c. 30 Sch. 4 para. 6\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 4 para. 6(3) repealed (1.10.2014) without ever being in force by 2014 c. 19, Sch. 12 para. 96(c); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- s. 46(5)(a) words substituted by [2011 c. 19 Sch. 3 para. 3](#)
- s. 47(4A) inserted by [2008 c. 30 s. 102\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 102 repealed (1.10.2014) without ever being in force by 2014 c. 19, Sch. 12 para. 96(a); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- s. 124(1)(ea) inserted by [2012 c. 5 s. 59\(2\)\(a\)](#)
- s. 124(1)(ga) inserted by [2009 c. 24 s. 5\(1\)\(a\)](#)
- s. 124(1C) inserted by [2012 c. 5 s. 59\(2\)\(b\)](#)
- s. 124(6A)(6B) inserted by [2009 c. 24 s. 5\(1\)\(b\)](#)
- s. 124A inserted by [2012 c. 5 s. 59\(3\)](#)
- s. 130C(2)(za) inserted by [2016 asp 19 Sch. 4 para. 5](#)
- s. 138(2A) inserted by [2009 c. 24 s. 17](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 138(2B) inserted by [2009 c. 24 s. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 140(4)(ca) inserted by [2009 c. 24 s. 19\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))

- s. 140(4A) inserted by [2009 c. 24 s. 19\(7\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 164(2)(aa) inserted by [2012 c. 5 s. 63\(3\)\(a\)](#)
- s. 164(9)(da) inserted by [2012 c. 5 s. 63\(3\)\(b\)](#)
- s. 171ZA(2)(ba) inserted by [2012 c. 5 s. 63\(4\)\(a\)](#)
- s. 171ZA(3A) inserted by [2012 c. 5 s. 63\(4\)\(b\)](#)
- s. 171ZB(2)(ba) inserted by [2012 c. 5 s. 63\(5\)\(a\)](#)
- s. 171ZB(3A) inserted by [2012 c. 5 s. 63\(5\)\(b\)](#)
- s. 171ZE(2A) inserted by [2014 c. 6 s. 123\(3\)\(b\)](#)
- s. 171ZE(2B) inserted by [2014 c. 6 s. 123\(3\)\(c\)](#)
- s. 171ZL(2)(ba) inserted by [2012 c. 5 s. 63\(8\)\(a\)](#)
- s. 171ZL(8)(za) inserted by [2012 c. 5 s. 63\(8\)\(c\)](#)
- s. 171ZEA(2)(ba) inserted by [2012 c. 5 s. 63\(6\)\(a\)](#)
- s. 171ZEA(3)(za) inserted by [2012 c. 5 s. 63\(6\)\(b\)](#)
- s. 171ZEB(2)(ba) inserted by [2012 c. 5 s. 63\(7\)\(a\)](#)
- s. 171ZEB(3)(za) inserted by [2012 c. 5 s. 63\(7\)\(b\)](#)
- s. 173A inserted by [2012 c. 5 s. 63\(9\)](#)
- s. 176(3A) inserted by [2011 c. 19 Sch. 3 para. 5\(2\)](#)
- Sch. 4 Pt. 1 para. 2A applied by [S.I. 1995/310 reg. 18\(1\)\(a\)](#)
- Sch. 4 Pt. 1 para. 6 power to amend conferred by [1992 c. 5 s. 154\(2\)\(a\)](#)
- Sch. 4 Pt. 1 para. 2 repealed by [2007 c. 5 Sch. 8](#)
- Sch. 4 Pt. 1 para. 2A repealed by [2007 c. 5 Sch. 8](#)
- Sch. 4 Pt. 5 para. 7 power to amend conferred by [1992 c. 5 s. 154\(2\)\(d\)\(e\)](#)
- Sch. 4 Pt. 5 para. 12 power to amend conferred by [1992 c. 5 s. 154\(2\)\(d\)\(e\)](#)
- Sch. 4 Pt. 3 para. 1 power to amend conferred by [1992 c. 5 s. 150\(3\)\(a\)151](#)
- Sch. 4 Pt. 3 para. 2 power to amend conferred by [1992 c. 5 s. 150\(3\)\(a\)151](#)
- Sch. 4 Pt. 3 para. 4 power to amend conferred by [1992 c. 5 s. 150\(3\)\(a\)151](#)
- Sch. 4 Pt. 3 para. 5 power to amend conferred by [1992 c. 5 s. 150\(3\)\(a\)151](#)
- Sch. 4 Pt. 3 para. 6 power to amend conferred by [1992 c. 5 s. 150\(3\)\(a\)151](#)
- Sch. 4 Pt. 4 para. 2 applied by [S.I. 1995/310 reg. 15\(7\)](#)
- Sch. 4 Pt. 4 para. 1A repealed by [2007 c. 5 Sch. 8](#)
- Sch. 4 Pt. 4 para. 2 repealed by [2007 c. 5 Sch. 8](#)
- Sch. 4B para. 1(1)(a)para. 1(1)(b)(2) words inserted by [2011 c. 19 Sch. 3 para. 6\(2\)\(b\)](#)
- Sch. 4C inserted by [2008 c. 30 s. 102\(5\)Sch. 3](#) (This amendment not applied to [legislation.gov.uk](#). S. 102, Sch. 3 repealed (1.10.2014) without ever being in force by 2014 c. 19, Sch. 12 para. 96(a)(b); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- Sch. 4C para. 7(2)(c) inserted by [2011 c. 19 Sch. 3 para. 7\(7\)\(b\)](#)
- Sch. 4C para. 7(3) inserted by [2011 c. 19 Sch. 3 para. 7\(8\)](#)
- Sch. 4C para. 3 omitted by [2011 c. 19 Sch. 3 para. 7\(3\)](#)
- Sch. 4C para. 7(2)(b) words inserted by [2011 c. 19 Sch. 3 para. 7\(7\)\(a\)](#)
- Sch. 4C para. 1 words substituted by [2011 c. 19 Sch. 3 para. 7\(2\)](#)
- Sch. 4C para. 2 words substituted by [2011 c. 19 Sch. 3 para. 7\(2\)](#)
- Sch. 4C para. 5(b) words substituted by [2011 c. 19 Sch. 3 para. 7\(4\)](#)
- Sch. 4C para. 6 words substituted by [2011 c. 19 Sch. 3 para. 7\(5\)](#)
- Sch. 4C para. 7(1) words substituted by [2011 c. 19 Sch. 3 para. 7\(4\)](#)
- Sch. 4C para. 7(1) words substituted by [2011 c. 19 Sch. 3 para. 7\(6\)](#)
- Sch. 11 para. 2(i) inserted by [2012 c. 5 s. 63\(10\)\(a\)](#)
- Sch. 11 para. 9 inserted by [2012 c. 5 s. 63\(10\)\(b\)](#)