



Welfare Reform and Pensions Act 1999

1999 CHAPTER 30

PART V

WELFARE

CHAPTER I

SOCIAL SECURITY BENEFITS

Disability benefits

66 Attendance allowance

(1) After subsection (3) of section 64 of the Contributions and Benefits Act (entitlement to attendance allowance) there shall be added—

“(4) Circumstances may be prescribed in which a person is to be taken to satisfy or not to satisfy such of the conditions mentioned in subsections (2) and (3) above as may be prescribed.”

(2) In subsection (1) of section 66 of that Act (attendance allowance for the terminally ill)—

- (a) in paragraph (a)(i), for the words from “for the remainder of his life” to “terminally ill” there shall be substituted “for so much of the period for which he is terminally ill as does not fall before the date of the claim”;
- (b) in paragraph (a)(ii), for “that date”, in the first place where those words occur, there shall be substituted “the date of the claim or, if later, the first date on which he is terminally ill”; and
- (c) in paragraph (b), for “the remainder of the person’s life, beginning with that date” there shall be substituted “so much of the period for which he is terminally ill as does not fall before the date of the claim”.

67 Disability living allowance

- (1) In subsection (3) of section 71 of the Contributions and Benefits Act (disability living allowance), for “for life” there shall be substituted “for an indefinite period”.
- (2) In subsection (5)(b) of section 72 of that Act (the care component), for “for the remainder of his life beginning with that date” there shall be substituted “for so much of the period for which he is terminally ill as does not fall before the date of the claim”.
- (3) In subsection (1) of section 73 of that Act (the mobility component), for “the age of 5” there shall be substituted “the relevant age” and after that subsection there shall be inserted—
 - “(1A) In subsection (1) above “the relevant age” means—
 - (a) in relation to the conditions mentioned in paragraph (a), (b) or (c) of that subsection, the age of 3;
 - (b) in relation to the conditions mentioned in paragraph (d) of that subsection, the age of 5.”
- (4) Subsection (3) does not affect awards made before the day on which that subsection comes into force.