
STATUTORY INSTRUMENTS

1979 No. 628

The Social Security (Claims and Payments) Regulations 1979

PART I
GENERAL

Citation and commencement

1. These regulations may be cited as the Social Security (Claims and Payments) Regulations 1979 and shall come into operation on 9th July 1979.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Social Security Act 1975;

“approved place” means a place approved by the Secretary of State for the purpose of obtaining payment of benefit;

“benefit order” means an order for the payment of a weekly sum on account of benefit to which regulation 16 applies or of a weekly instalment of a gratuity;

“claim for benefit” includes an application for a declaration that an accident was an industrial accident and an application for the review of an award or a decision for the purpose of obtaining any increase of benefit mentioned in Schedule 1 to these regulations but does not include any other application for the review of an award or a decision and the expression “claims benefit” and every reference to a claim shall be construed accordingly;

[^{F1}“health care professional” means—

- (a) a registered medical practitioner,
- (b) a registered nurse,
- (c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Care Act 1999, or
- (d) a member of such other profession, regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002, prescribed by the Secretary of State in accordance with powers under section 39(1) of the Social Security Act 1998.]

^{F2} ...

“instrument of payment” means a serial order, benefit order, or any other instrument whatsoever which is intended to enable a person to obtain payment of benefit;

“serial order” means one of a series of orders, including benefit orders, for the payment of a sum on account of benefit which is or has been contained in a book of such orders;

“unemployment benefit office” means any office or place appointed by the Secretary of State for the purpose of claiming unemployment benefit; and other expressions have the same meaning as in the Act.

[^{F3}(1A) The provision in paragraph (1) for the interpretation of the words “claim for benefit” shall not be taken to preclude the application of the regulations to a claim for attendance allowance expressed as an application for review of an earlier determination but which discloses no grounds on which such a determination could be reviewed.]

- (2) Unless the context otherwise requires, any reference in these regulations to—
 - (a) a numbered section is a reference to the section of the Social Security Act 1975 bearing that number;
 - (b) a numbered regulation is a reference to the regulation bearing that number in these regulations and any reference in a regulation to a numbered paragraph is a reference to the paragraph of that regulation bearing that number;
 - (c) any provision made by or contained in an enactment or instrument shall be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which it re-enacts or replaces, or which may re-enact or replace it, with or without modification.

(3) For the purposes of the provisions of these regulations relating to the making of claims every increase of benefit mentioned in Schedule 1 to these regulations shall be treated as a separate benefit.

(4) The provisions of Schedules 1 and 2 to these regulations shall have effect; and the following provisions of these regulations shall, in relation to any particular benefit, have effect subject to any provision in those Schedules affecting that benefit.

Textual Amendments

F1 Words in [reg. 2\(1\)](#) inserted (3.7.2007) by [The Social Security \(Miscellaneous Amendments\)\(No.2\) Regulations 2007 \(S.I. 2007/1626\)](#), regs. 1, [2\(2\)](#)

F2 Words in [reg. 2\(1\)](#) omitted (5.7.1999) by virtue of [The Social Security Act 1998 \(Commencement No. 8, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1958\)](#), art. [4\(4\)](#), [Sch. 4 para. 1](#)

F3 [Reg. 2\(1A\)](#) inserted (25.8.1980) by [The Social Security \(Attendance Allowance\) Amendment Regulations 1980 \(S.I. 1980/1136\)](#), regs. 1(1), [6\(1\)](#)

PART II CLAIMS

Claims not required in certain cases

^{F4}3.

Textual Amendments

F4 [Reg. 3](#) revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, [Sch. 10](#)

Manner in which claims are to be made

^{F5}4.

Textual Amendments

F5 Reg. 4 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Supply of claim forms

^{F6}5.

Textual Amendments

F6 Reg. 5 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Claims not on appropriate forms

^{F7}6.

Textual Amendments

F7 Reg. 6 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Information to be given when making a claim for benefit

^{F8}7.

Textual Amendments

F8 Reg. 7 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Amendment of claim forms

^{F9}8.

Textual Amendments

F9 Reg. 8 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Interchange with claims for other benefits

^{F10}9.

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1979. (See end of Document for details)

Textual Amendments

F10 Reg. 9 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Special provision where it is certified that a woman is expected to be confined or where she has been confined

F11 **10.**

Textual Amendments

F11 Reg. 10 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Self-certified claims for first 7 days of a spell of incapacity for work

F12 **10A.**

Textual Amendments

F12 Reg. 10A (inserted by S.I. 1982/699, regs. 1(1), 3) revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Forward allowances and disallowances of sickness, invalidity and injury benefit and non-contributory invalidity pension

F13 **11.**

Textual Amendments

F13 Reg. 11 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**; (Reg. 11(7)(8)(9) revoked (29.11.1984) by The Social Security (Severe Disablement Allowance) Regulations 1984 (S.I 1984/1303), reg. 1, 21, Sch. 3)

Forward allowance and disallowance of unemployment benefit

F14 **12.**

Textual Amendments

F14 Reg. 12 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Special provisions relating to claims for unemployment benefit made during periods connected with public holidays

F15 **13.**

Textual Amendments

F15 Reg. 13 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

Time for claiming benefit

^{F16}**14.**

Textual Amendments

F16 Reg. 14 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

PART III
PAYMENTS

Time and manner of payment of certain benefits and of an increase of disablement pension

^{F17}**15.**

Textual Amendments

F17 Reg. 15 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**; (Reg. 15(1)(f) revoked (6.4.1983) by [The Social Security \(Abolition of Injury Benefit\) \(Consequential\) Regulations 1983 \(S.I. 1983/186\)](#), regs. 1(1), 11(4))

Time and manner of payment of certain pensions and allowances

^{F18}**16.**

Textual Amendments

F18 Reg. 16 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

[^{F19}Payment of certain benefits by direct credit transfer]

^{F20}**16A.**

Textual Amendments

F19 Reg. 16A inserted (4.10.1982) by [The Social Security \(Claims and Payments\) Amendment Regulations 1982 \(S.I. 1982/1241\)](#), regs. 1(1), **3**
F20 Reg. 16A revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**;

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1979. (See end of Document for details)

Reg. 16A(8)(9) revoked (6.4.1987) by Social Security (Payments on account, Overpayments and Recovery) Regulations 1987 (S.I. 1987/491), regs. 1, 19(1), **Sch. Pt. I**

Special provisions relating to payment of constant attendance allowance for persons out of hospital for short periods

^{F21}**17.**

Textual Amendments

F21 Reg. 17 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Special provision relating to payment of attendance' allowance for persons out of hospital for periods not expected to exceed 13 weeks

^{F22}**18.**

Textual Amendments

F22 Reg. 18 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Time and manner of payment of age addition

^{F23}**19.**

Textual Amendments

F23 Reg. 19 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Time and manner of payments of industrial injuries gratuities

^{F24}**20.**

Textual Amendments

F24 Reg. 20 revoked (11.4.1988) by The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), regs. 1, 48, **Sch. 10**

Time of payment 01 Category C or D retirement pensions etc. to those in receipt of supplementary benefit

^{F25}**21.**

Textual Amendments

F25 Reg. 21 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

Extinguishment of right to sums payable by way of benefit which are not obtained within the prescribed time

^{F26}**22.**

Textual Amendments

F26 Reg. 22 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

Information to be given when obtaining payment of benefit

^{F27}**23.**

Textual Amendments

F27 Reg. 23 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

PART IV

SPECIAL PROVISIONS RELATING TO INDUSTRIAL INJURIES BENEFIT ONLY

Notice of accidents

24.—(1) Every employed earner who suffers personal injury by accident in respect of which benefit may be payable shall give notice of such accident either in writing or orally as soon as is practicable after the happening thereof:

Provided that any such notice required to be given by an employed earner may be given by some other person acting on his behalf.

(2) Every such notice shall be given to the employer, or (if there is more than one employer) to one of such employers, or to any foreman or other official under whose supervision the employed earner is employed at the time of the accident, or to any person designated for the purpose by the employer, and shall give the appropriate particulars.

(3) Any entry of the appropriate particulars of an accident made in a book kept for that purpose in accordance with the provisions of regulation 25 shall, if made as soon as practicable after the happening of an accident by the employed earner or by some other person acting on his behalf, be sufficient notice of the accident for the purposes of this regulation.

(4) In this regulation—

““employer”” means, in relation to any person, the employer of that person at the time of the accident and ““employers”” shall be construed accordingly; and

““employed earner”” means a person who is or is treated as an employed earner for the purposes of industrial injuries benefit.

(5) In this regulation and regulation 25, ““appropriate particulars”” mean the particulars indicated in Schedule 4 to these regulations.

Obligations of employers

25.—(1) Every employer shall take reasonable steps to investigate the circumstances of every accident of which notice is given to him or to his servant or agent in accordance with the provisions of regulation 24 and, if there appear to him to be any discrepancies between the circumstances found by him as a result of his investigation and the circumstances appearing from the notice so given, he shall record the circumstances so found.

(2) Every employer who is required to do so by the Secretary of State shall furnish to an officer of the Department within such reasonable period as may be required, such information and particulars as shall be required—

- (a) of any accident or alleged accident in respect of which benefit may be payable to, or in respect of the death of, a person employed by him at the time of the accident or alleged accident; or
- (b) of the nature of and other relevant circumstances relating to any occupation prescribed for the purposes of Chapter V of Part II of the Act in which any person to whom or in respect of whose death benefit may be payable under that Chapter was or is alleged to have been employed by him.

(3) ^{M1}Every owner or occupier (being an employer) of any mine or quarry or of any premises to which any of the provisions of the Factories Act 1961 applies and every employer by whom 10 or more persons are normally employed at the same time on or about the same premises in connection with a trade or business carried on by the employer shall, subject to the following provisions of this paragraph—

- [^{F28}(a) keep readily accessible a means (whether in a book or books or by electronic means), in a form approved by the Secretary of State, by which a person employed by the employer or some other person acting on his behalf may record the appropriate particulars (as defined in regulation 24) of any accident causing personal injury to that person; and]
- [^{F28}(b) preserve every such record for the period of at least 3 years from the date of its entry.]

Textual Amendments

F28 Reg. 25(3)(a) and (b) substituted (27.9.1993) by [The Social Security \(Claims and Payments\) Amendment \(No. 3\) Regulations 1993 \(S.I. 1993/2113\)](#), **regs. 1(2), 2**

Marginal Citations

M1 1961 c. 34.

Obligations of claimants for,^{F29} and beneficiaries in receipt of...disablement benefit

26.—(1) Subject to the following provisions of this regulation, every claimant for, and every beneficiary in receipt of^{F30} ... disablement benefit shall comply with every notice given to him by the Secretary of State which requires him either—

- (a) to submit himself to a medical examination [^{F31}[^{F32}in person, by telephone or by video]] by a [^{F33}[^{F34}health care professional approved by the Secretary of State] who has experience in the issues specified in regulation 12(1) of the Social Security and Child Support (Decisions

and Appeals) Regulations 1999] for the purpose of determining the effects of the relevant accident or the treatment appropriate to the relevant injury or loss of faculty; or

(b) to submit himself to such medical treatment for the said injury or loss of faculty as is considered appropriate in his case by the medical practitioner in charge of the case ^{F35}....

(2) Every notice given to a claimant or beneficiary requiring him to submit himself to medical examination shall be given in writing and shall specify the time and place for examination and shall not require the claimant or beneficiary to submit himself [^{F36}to examination before the expiration of the period of 6 days beginning with the date of the notice or such shorter period as may be reasonable in the circumstances].

(3) Every claimant and every beneficiary who, in accordance with the foregoing provisions of this regulation, is required to submit himself to a medical examination or to medical treatment—

- (a) shall attend at every such place and at every such time as may be required; and
- (b) may, in the discretion of the Secretary of State, be paid such travelling and other allowances (including compensation for loss of remunerative time) as the Secretary of State may with the consent of the Minister for the Civil Service determine.

^{F37}(4)

Textual Amendments

- F29** Words in reg. 26 heading omitted (6.4.1983) by virtue of [The Social Security \(Abolition of Injury Benefit\) \(Consequential\) Regulations 1983 \(S.I. 1983/186\)](#), regs. 1(1), **11(6)**
- F30** Words in reg. 26(1) omitted (6.4.1983) by virtue of [The Social Security \(Abolition of Injury Benefit\) \(Consequential\) Regulations 1983 \(S.I. 1983/186\)](#), regs. 1(1), **11(7)**
- F31** Words in reg. 26(1)(a) inserted (E.W.) (25.3.2021) by [The Social Security \(Claims and Payments, Employment and Support Allowance, Personal Independence Payment and Universal Credit\) \(Telephone and Video Assessment\) \(Amendment\) Regulations 2021 \(S.I. 2021/230\)](#), regs. 1(1), **2(2)**
- F32** Words in reg. 26(1)(a) inserted (S.) (25.3.2021) by [The Social Security \(Industrial Injuries Benefit and Personal Independence Payment\) \(Telephone and Video Assessment\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/97\)](#), regs. 1(1), **2**
- F33** Words in reg. 26(1)(a) substituted (5.7.1999) by [The Social Security Act 1998 \(Commencement No. 8, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1958\)](#), art. 4(4), **Sch. 4 para. 2(a)(i)**
- F34** Words in reg. 26(1)(a) substituted (3.7.2007) by [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2007 \(S.I. 2007/1626\)](#), regs. 1, **2(3)**
- F35** Words in reg. 26(1)(b) omitted (5.7.1999) by virtue of [The Social Security Act 1998 \(Commencement No. 8, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1958\)](#), art.4(4), **Sch. 4 para. 2(a)(ii)**
- F36** Words in reg. 26(2) substituted (5.7.1999) by [The Social Security Act 1998 \(Commencement No. 8, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1958\)](#), art. 4(4), **Sch. 4 para. 2(b)**
- F37** Reg. 26(4) omitted (5.7.1999) by virtue of [The Social Security Act 1998 \(Commencement No. 8, and Savings and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1958\)](#), art. 4(4), **Sch. 4 para. 2(c)**

Withdrawal of claims for disablement benefit

^{F38}27.

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1979. (See end of Document for details)

Textual Amendments

F38 Reg. 27 revoked (6.4.1983) by [The Social Security \(Abolition of Injury Benefit\) \(Consequential\) Regulations 1983 \(S.I. 1983/186\)](#), regs. 1(1), **11(8)**

PART V

MISCELLANEOUS PROVISIONS

Persons unable to act

^{F39}**28.**

Textual Amendments

F39 Reg. 28 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

Payments on death

^{F40}**29.**

Textual Amendments

F40 Reg. 29 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

Payment of benefit to third party

^{F41}**30.**

Textual Amendments

F41 Reg. 30 revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), regs. 1, 48, **Sch. 10**

Breach of regulations

31. If any person contravenes or fails to comply with any requirement of these regulations (not being a requirement to give notice of an accident or a requirement to submit himself to medical treatment or examination) in respect of which no special penalty is provided, he shall for such offence be liable on summary conviction to a penalty not exceeding [^{F42}£200] or, where the offence consists of continuing any such contravention or failure after conviction thereof, [^{F42}£20] for each day on which it is so continued.

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1979. (See end of Document for details)

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Textual Amendments

F42 Words in [reg. 31](#) substituted (with effect in accordance with [reg. 1\(2\)](#) of the amending S.I.) by [The Social Security \(Claims and Payments\) Amendment Regulations 1982 \(S.I. 1982/1241\)](#), [regs. 1\(1\), 7\(1\)](#) (with [reg. 7\(2\)](#))

Revocations

^{F43}**32.**

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Textual Amendments

F43 [Reg. 32](#) revoked (11.4.1988) by [The Social Security \(Claims and Payments\) Regulations 1987 \(S.I. 1987/1968\)](#), [regs. 1, 48](#), [Sch. 10](#)

Patrick Jenkin,
Secretary of State for Social Services.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1979.