
STATUTORY INSTRUMENTS

1979 No. 628

The Social Security (Claims and Payments) Regulations 1979

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—
- [^{F1}(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]
- [^{F1}(b) preserve every such record for the period of at least 3 years from the date of its entry.]

Textual Amendments

- F1** 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,^{F2} 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^{F3}... 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 [^{F4}[^{F5}in person, by telephone or by video]] by a [^{F6}[^{F7}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 ^{F8}....

(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 [^{F9}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 with¹ 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.

^{F10}(4)

Textual Amendments

- F2** 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)**
- F3** 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)**
- F4** 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)**
- F5** 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**
- F6** 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)**
- F7** 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)**
- F8** 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)**
- F9** 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)**
- F10** 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

^{F11}27.

Textual Amendments

- F11** 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)**

Changes to legislation:

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