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STATUTORY INSTRUMENTS

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**1983 No. 1598**

**The Social Security (Unemployment, Sickness  
and Invalidity Benefit) Regulations 1983**

[<sup>F1</sup>PART IV A

**TRANSITIONAL PROVISIONS FOR INCAPACITY  
BENEFIT IN RESPECT OF INDUSTRIAL INJURY**

**Textual Amendments**

- F1** Pt. 4A substituted for Pt. 4 (13.4.1995) by [The Social Security \(Incapacity Benefit\) \(Consequential and Transitional Amendments and Savings\) Regulations 1995 \(S.I. 1995/829\)](#), regs. 1(1), **17(14)** (with Pt. III)

**Provision for short-term incapacity in respect of industrial injury persons over pensionable age**

**32A.** In any case where—

- (a) immediately before the revocation of regulation 30, the provisions of that regulation applied; and
- (b) after 12th April 1995 a person becomes entitled to short-term incapacity benefit in respect of the same industrial injury by virtue of regulation 11 or 14 of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995,

the weekly rate at which short-term incapacity benefit is payable shall be the rate set out in paragraph 2 of Part I of Schedule 4 to the Contributions and Benefits Act, or, if higher, the rate at which that benefit would have been payable to the person concerned under section 30B(3) of that Act.

**Provision for long-term incapacity in respect of industrial injury—persons over pensionable age**

**32B.—**(1) Subject to paragraph (2) in any case where—

- (a) immediately before the revocation of regulation 31 the provisions of that regulation applied; and
- (b) after 12th April 1995 a person becomes entitled to long-term incapacity benefit by virtue of regulation 17, 17A or 21 of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995,

the weekly rate at which long-term incapacity benefit is payable shall be the rate referred to in regulation 18(1) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995 (notwithstanding that the person is over pensionable age), or, if higher, the rate at which that benefit would be payable under regulation 18(7).

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(2) Where the contribution conditions for a Category A retirement pension specified in paragraph 5 of Part I of Schedule 3 to the Contributions and Benefits Act are not satisfied, those conditions shall be taken to be satisfied for the purposes of regulation 18(7) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995.]

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**Changes and effects yet to be applied to :**

- [reg.11\(IA\)](#) added by [S.I. 1995/3152 reg.2\(2\)\(a\)](#)

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

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

- [reg\\_7\(1\)\(g\)\(iii\)](#) modified by [S.I. 1995/3276 reg.11\(2\)](#)
- [reg.7\(1\)\(o\)](#) applied by [S.I. 1995/3276 reg.11\(3\)](#)
- [reg.7\(1\)\(o\)](#) modified by [S.I. 1995/3276 reg.11\(2\)](#)
- [reg. 7\(3\)\(a\)](#) words omitted by [S.I. 1995/1742 reg. 2\(2\)\(f\)](#)
- [reg.7\(5B\)](#) added by [S.I. 1995/2192 reg.2](#)
- [reg. 7\(6\)](#) words inserted by [S.I. 1990/774 art. 2](#)
- [reg.12D\(d\)](#) added by [S.I. 1995/3152 reg.2\(3\)](#)
- [reg.12D\(2\)\(c\)](#) substituted by [S.I. 1992/2913 reg.2](#)