
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace with amendments the Social Security (Attendance Allowance) (No. 2) Regulations 1975 (S.I. 1975/598) and are consequential upon the changes made to attendance allowance by section 2(1) of the Disability Living Allowance and Disability Working Allowance Act 1991 which provides in particular that a person shall not be entitled to an attendance allowance unless he is aged 65 or over.

Regulation 1 contains provisions relating to citation, commencement and interpretation.

Regulation 2 sets out the conditions as to residence and presence in Great Britain which a person must satisfy to qualify for an attendance allowance.

Regulation 3 specifies when the qualifying period provided for in section 35(2)(b) of the Social Security Act 1975 may occur when entitlement to an attendance allowance has been interrupted and regulation 4 enables an attendance allowance to be paid before the date of claim in renewal cases.

Regulation 5 relates specifically to persons undergoing renal dialysis and provides that in certain circumstances such persons shall be entitled to an attendance allowance.

Regulations 6, 7 and 8 impose restrictions on the payment of benefit where a person is accommodated in hospital or is in certain accommodation where the cost is or may be met out of public or local funds.

Regulation 9 revokes the Social Security (Attendance Allowance) (No. 2) Regulations 1975.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Attendance Allowance) Regulations 1991.