
STATUTORY INSTRUMENTS

1993 No. 518

**The Social Security Benefits (Miscellaneous
Amendments) Regulations 1993**

Amendment of the Social Security (Disability Living Allowance) Regulations 1991

3.—(1) The Social Security (Disability Living Allowance) Regulations 1991⁽²⁾ shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 9 (persons in accommodation other than hospitals)—

- (a) in sub-paragraph (a)(i) of paragraph (1), the words “or paragraph 2 of Schedule 8 to the NHS Act of 1977” shall be omitted;
- (b) in sub-paragraph (c) of paragraph (4), for the word “accommodation;”, there shall be substituted the words “accommodation, and has a preserved right for the purposes of regulation 7(3) of the Social Security Benefits (Amendments Consequential Upon the Introduction of Community Care) Regulations 1992⁽³⁾.”;
- (c) in paragraph (5), for the words “This paragraph” there shall be substituted the words “Subject to paragraph 5A, this paragraph”; and
- (d) after paragraph (5), there shall be inserted the following paragraph—

“(5A) Paragraph (5)(b) shall apply in the case of a person who does not have a preserved right for the purposes of regulation 7(3) of the Social Security Benefits (Amendments Consequential Upon the Introduction of Community Care) Regulations 1992 as if the words “and at least 4 other persons” to the end of sub-paragraph⁽¹⁾ were omitted.”.

(3) In regulation 10⁽⁴⁾ (persons exempt from regulations relating to hospitalisation and persons in certain other accommodation other than hospitals)—

- (a) in paragraph (6), after the words “shall not apply”, there shall be inserted the words “except in a case to which paragraph (9) applies”;
- (b) in paragraph (7), after the words “or other institution” there shall be inserted the words “whose primary function is to provide palliative care for persons resident there who are suffering from a progressive disease in its final stages”;
- (c) in paragraph (8), after the words “shall not apply” there shall be inserted the words “except in a case to which paragraph (9) applies”; and
- (d) after paragraph (8), there shall be added the following paragraph—

“(9) This paragraph applies in the case of a person who is residing in a home owned or managed, or owned and managed, by a local authority.”.

⁽²⁾ S.I. 1991/2890; the relevant amending instruments are S.I. 1992/633 and 3147.

⁽³⁾ S.I. 1992/3147.

⁽¹⁾ Paragraphs (4) and (5) were added by S.I.1992/3147.

⁽⁴⁾ Regulation 10 is amended by S.I. 1992/633 and 3147.