
STATUTORY INSTRUMENTS

1994 No. 2975

**The Social Security (Medical Evidence)
Amendment Regulations 1994**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Medical Evidence) Amendment Regulations 1994 and shall come into force on 13th April 1995.

(2) In these Regulations “the principal Regulations” means the Social Security (Medical Evidence) Regulations 1976(1).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2) (citation, commencement and interpretation) there shall be inserted after the definition of “the Act”—

““the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(2);

“the all work test” means the test provided for in section 171C of the Contributions and Benefits Act;”.

(3) In regulation 2 (evidence of incapacity for work and confinement)—

(a) in paragraph (1)—

(i) there shall be substituted for the words “where a person claims” up to and including “those days either”— “where a person claims he is entitled to any benefit, allowance or advantage (other than industrial injuries benefit or statutory sick pay), and his entitlement to that benefit, allowance or advantage depends on his being incapable of work, then in respect of each day until he has been assessed for the purposes of the all work test, he shall provide evidence of such incapacity”; and

(ii) there shall be substituted for sub-paragraph (c)—

“(c) where the all work test applies and the Secretary of State so requests, a statement in writing given by a doctor in accordance with the rules set out in Part I of Schedule 1B to these Regulations on the form set out in Part II of that Schedule; or

(d) where it would be unreasonable to require a person to provide a statement from a doctor, such other evidence as may be sufficient to show that he should refrain from work by reason of some specific disease or bodily or mental disablement.”; and

(b) in paragraph (2) there shall be inserted after “applies”—

“who has not been assessed for the purposes of the all work test”.

(1) [S.I. 1976/615](#); relevant amending instruments are [S.I. 1982/699](#), [1989/1686](#) and [1992/247](#).

(2) [1992 c. 4](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (4) In regulation 5 (self-certificate for first 7 days of a spell of incapacity for work)—
- (a) in paragraph (1) there shall be substituted for the words from the beginning of that paragraph up to and including “right to benefit”—
- “The evidence of incapacity required for the purposes of determining entitlement to a benefit, allowance or advantage referred to in regulation 2(1)”; and
- (b) in paragraph (2) there shall be substituted for the definition of “spell of incapacity”—
- ““spell of incapacity” has the meaning given to it by section 171B(3) of the Contributions and Benefits Act.”.

Insertion of Schedule 1B into the principal Regulations

- 3.** The Schedule to these Regulations shall be Schedule 1B to the principal Regulations.

Signed by authority of the Secretary of State for Social Security.

Department of Social Security
23rd November 1994

William Hague
Minister of State,