# STATUTORY INSTRUMENTS

# 1995 No. 311

# SOCIAL SECURITY

The Social Security (Incapacity for Work) (General) Regulations 1995

Made - - - - 10th February 1995 Coming into force 13th April 1995

# THE SOCIAL SECURITY (INCAPACITY FOR WORK) (GENERAL) REGULATIONS 1995

### PART I

#### **GENERAL**

- 1. Citation and commencement
- 2. Interpretation
- 3. Application

#### PART II

# GENERAL PROVISIONS RELATING TO INCAPACITY FOR WORK

#### CHAPTER I

#### OWN OCCUPATION TEST

- 4. Definition of "remunerative work"
- 5. Person with more than one occupation

# CHAPTER II

# INFORMATION AND EVIDENCE

- 6. Information required for determining capacity for work
- 7. Failure to provide information
- 8. Person may be called for a medical examination
- 9. Matters to be taken into account in determining good cause

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Social Security (Incapacity for Work) (General) Regulations 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### CHAPTER III

# PERSONS TREATED AS INCAPABLE

- 10. Certain persons with a severe condition to be treated as incapable of work
- 10A Certain persons participating in approved work to be treated as incapable of work
- 11. Person with a relevant infection or contamination
- 12. Hospital in-patients
- 13. Person receiving certain regular treatment
- 13A Welfare to work beneficiary
- 14. Pregnancy
- 15. Person to be treated as incapable of work throughout a day

#### CHAPTER IV

# TREATING AS CAPABLE, DISQUALIFICATION ETC.

- 16. Person who works to be treated as capable of work
- 16A Persons to be treated as capable of work at the end of the period covered by medical evidence
- 17. Exempt work
- 17A Person who claims unemployment benefit to be treated as capable of work
- 18. Disqualification for misconduct etc.

#### CHAPTER V

#### ADJUDICATION

19.	
20.	
21.	
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#### PART III

# PERSONAL CAPABILITY ASSESSMENT

- 23. Interpretation of Part III and the Schedule
- 24. The personal capability assessment
- 25. Incapacity under the personal capability assessment
- 26. Calculation of scores
- 27. Exceptional circumstances
- 28. Conditions for treating a person as incapable of work until the personal capability assessment is carried out Signature

SCHEDULE — DISABILITIES WHICH MAY MAKE A PERSON INCAPABLE OF WORK

part i — PHYSICAL DISABILITIES

(1) (2) (3) Activity Descriptor Points 1. Walking on level...

part ii — MENTAL DISABILITIES

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(1) (2) (3) Activity Descriptor Points 15. Completion of tasks....

**Explanatory Note** 

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# Changes and effects yet to be applied to:

- reg.17(2)(a) amended by S.I. 1996/484 reg.2
- reg.17(2)(a) amended by S.I. 1997/546 reg.2

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

Act modified by S.I. 1999/1088 regs.3.4-67