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STATUTORY INSTRUMENTS

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**1995 No. 311**

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

**PART I**  
**GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Incapacity for Work) (General) Regulations 1995 and shall come into force on 13th April 1995.

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

- “activity” means an activity specified in column (1) of Parts I and II of the Schedule;
- “adjudication officer” means an officer appointed in accordance with section 38(1) of the Administration Act;
- “the Administration Act” means the Social Security Administration Act 1992;
- “the all work test” means the test defined in Part III of these Regulations;
- “benefit” does not include statutory sick pay or industrial injuries benefit;
- “confinement” has the meaning given to it by section 171(1) of the Contributions and Benefits Act;
- “the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992;
- “close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or the spouse of any of the preceding persons or, if that person is one of an unmarried couple, the other member of that couple;
- “descriptor” means, in relation to an activity, the descriptor in column (2) of the Schedule which describes a person’s ability to perform that activity;
- “disability appeal tribunal” means a tribunal constituted under section 43 of the Administration Act;
- “the Disability Living Allowance Advisory Board” means the board referred to in section 175(1) of the Administration Act;
- “doctor” means a registered medical practitioner;
- “the own occupation test” means the test defined in section 171B of the Contributions and Benefits Act;
- “the President” means the President of the social security appeal tribunals, disability appeal tribunals and medical appeal tribunals;

“social security appeal tribunal” means a tribunal constituted under section 41 of the Administration Act;

“spell or incapacity” has the meaning given to it by section 171B(3) of the Contributions and Benefits Act;

“voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

“volunteer” means a person who is engaged in voluntary work with a charity or voluntary organisation, or who is engaged in voluntary work otherwise than for a close relative, where the only payment received by him or due to be paid to him by virtue of being so engaged in respect of any expenses reasonably incurred by him in connection with that work;

“week” means any period of 7 days.

- (2) In these Regulations, unless the context otherwise requires, any reference—
- (a) to a numbered regulation is to the regulation in these Regulations bearing that number;
  - (b) to the Schedule is to the Schedule to these Regulations.

### **Application**

**3.** These Regulations do not apply for the purposes of Part V (benefit for industrial injuries) or Part XI (statutory sick pay) of the Contributions and Benefits Act.