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## STATUTORY INSTRUMENTS

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# 1995 No. 311

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

### PART III

#### [<sup>F1</sup>PERSONAL CAPABILITY ASSESSMENT]

##### **Incapacity under the personal capability assessment**

**25.**—[<sup>F1</sup>(1) For the purposes of section 171C(2)(b) of the Contributions and Benefits Act a person is incapable of work in accordance with the personal capability assessment when one or more of the descriptors in Part I or Part II apply to him if, by adding the points listed in column (3) of the Schedule against the descriptor, he obtains a total score of at least—

- (a) 15 points in respect of descriptors specified in Part I; or
- (b) 10 points in respect of descriptors specified in Part II; or
- (c) 15 points in respect of descriptors specified in Parts I and II.]

(2) In determining the extent of a person's incapacity to perform any activity listed in Part I he shall be assessed as if he were wearing any prosthesis with which he is fitted [<sup>F2</sup>or, as the case may be, any aid or appliance which he normally wears or uses.]

[<sup>F3</sup>(3) In determining the extent of a person's incapacity to perform any activity listed in Part I or Part II, it shall be a condition that the person's incapacity arises—

- (a) in respect of a disability listed in Part I, from a specific bodily disease or disablement; or
- (b) in respect of a disability listed in Part II, from some specific mental illness or disablement.]

##### **Textual Amendments**

- F1** Reg. 25(1) substituted (3.4.2000) by [The Social Security \(Incapacity for Work\) Miscellaneous Amendments Regulations 1999 \(S.I. 1999/3109\)](#), regs. 1(1), **3(3)**
- F2** Words in reg. 25(2) added (6.1.1997) by [The Social Security \(Incapacity for Work and Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/3207\)](#), regs. 1(1), **2(7)(a)**
- F3** Reg. 25(3) inserted (6.1.1997) by [The Social Security \(Incapacity for Work and Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/3207\)](#), regs. 1(1), **2(7)(b)**

**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.

[View outstanding changes](#)

**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](#)