

2006 No. 536

SOCIAL SECURITY

The Social Security (Incapacity Benefit Work-focused Interviews) Amendment Regulations 2006

<i>Made</i> - - - -	<i>1st March 2006</i>
<i>Laid before Parliament</i>	<i>6th March 2006</i>
<i>Coming into force</i> - -	<i>3rd April 2006</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 2A, 189(1), (4) to (6) and (7A) and 191 of the Social Security Administration Act 1992(a).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(b).

Citation and commencement

1. These Regulations may be cited as the Social Security (Incapacity Benefit Work-focused Interviews) Amendment Regulations 2006 and shall come into force on 3rd April 2006.

Amendment of the Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003

2.—(1) The Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003(c) are amended in accordance with this regulation.

(2) In regulation 2 (interpretation) in the definition of “relevant person”(d)—

- (a) in paragraph (a)(i)(bb), after “Part 2” there is inserted “or Part 6”;
- (b) in paragraph (a)(ii)—
 - (i) in head (aa), for “2001” there is substituted “1997”,
 - (ii) in head (bb), for “2002” there is substituted “1998”, and
 - (iii) at the end of head (bb), there is inserted—

“or

(a) 1992 c.5. Section 2A was inserted by section 57 of the Welfare Reform and Pensions Act 1999 (c.30) and subsection (2) was amended by S.I. 2002/1457. Section 189(1) and (4) to (6) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c.14); section 189(1) was amended by paragraph 57(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21); section 189(7A) was inserted by paragraph 82 of Schedule 12 to the Welfare Reform and Pensions Act 1999. Section 191 is cited because of the meaning it gives to the word “prescribe”.

(b) See section 173(1)(b) of the Social Security Administration Act 1992.

(c) S.I. 2003/2439. Amending instruments are S.I.s 2005/3 and 2005/2604.

(d) The definition of “relevant person” was substituted by S.I.s 2005/3 and 2005/2604.

(cc) Part 6 of that Schedule and who made such a claim before 5th April 2004.”.

(3) In Part 2 of the Schedule(a)—

(a) in paragraph 2(a)—

(i) there is omitted “Mendip District Council;”, “Sedgemoor District Council;”, “South Somerset District Council;”, “Taunton Deane Borough Council;”, and “West Somerset District Council;”, and

(ii) there is inserted at the appropriate place “Brentwood District Council;”; and

(b) in paragraph 2(b)—

(i) for “DH2 1AH” to “DH2 1XG”, there is substituted “DH2”, and

(ii) for “DH3 1A” to “DH3 2T”, there is substituted “DH3”.

(4) In Part 4 of the Schedule(b), in paragraph 4(b) there is inserted at the appropriate place—

“G13 0, G13 4;

G14 0;

G60;

G63 0;

G81 1 to G81 6;

G82 1 to G82 5;

G83 0, G83 8, G83 9;”.

(5) After Part 5 of the Schedule(c), there is inserted as Part 6 the Part set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Work and Pensions.

Margaret Hodge

Minister of State,

Department for Work and Pensions

1st March 2006

SCHEDULE

Regulation 2(5)

Amendment of the Schedule to the Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003

“PART 6

6. For the purposes of regulation 2 the areas are the areas of—

Mendip District Council;

Sedgemoor District Council;

South Somerset District Council;

Taunton Deane Borough Council;

West Somerset District Council.”

(a) The Schedule was amended by S.I. 2005/2604.

(b) Part 4 was inserted by S.I. 2005/2604.

(c) Part 5 was inserted by S.I. 2005/2604.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003 (S.I. 2003/2439) (“the principal Regulations”) to increase the numbers of persons that can be required to attend work-focused interviews as a condition of their continued entitlement to full benefit. These Regulations and the principal Regulations apply to certain persons who claim incapacity benefit, severe disablement allowance, income support on the grounds of incapacity or income support whilst they are appealing against a decision which embodies a determination that they are not incapable of work (“specified benefits”).

Regulation 2(2)(b)(i) and (ii) amends the principal Regulations (so that they apply to an increased number of persons) by extending the dates on which a claim for a specified benefit will bring some claimants within the principal Regulations.

Regulation 2(2)(a), 2(2)(b)(iii), 3(a)(i) and (5) and the Schedule create an area of the country in which a claim for a specified benefit on any date brings a claimant within the principal Regulations.

Regulation 2(3)(a)(ii), 3(b) and (4) amends the places in which a claimant must live to fall within the principal Regulations.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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**The Social Security (Incapacity Benefit Work-focused
Interviews) Amendment Regulations 2006**

£3.00

ISBN 0-11-074140-4

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Stationery Office and Queen's Printer of Acts of Parliament.

E0261 3/2006 160261T 19585

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