
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Claims and Payments) Regulations 1979 (the 1979 Regulations), the Social Security (Incapacity for Work) (General) Regulations 1995 (the 1995 Regulations) and the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (the 1999 Regulations) in consequence upon section 62 of the Welfare Reform Act 2007.

The latter provision amends sections 19 and 20 of the Social Security Act 1998 to allow the Secretary of State and the eligible member of the appeal tribunal to refer a person to a health care professional for medical examination and report, rather than only allowing a referral to a medical practitioner.

Regulation 2 amends the 1979 Regulations. Paragraph (2) inserts the definition of “health care professional” into the interpretation provisions of the 1979 Regulations. Paragraph (3) amends regulation 26 of the 1979 Regulations by substituting the words “health care professional approved by the Secretary of State” for “medical practitioner”.

Regulation 3 amends the 1995 Regulations. Paragraph (2) inserts the definition of “health care professional” into the interpretation provision of the 1995 Regulations. Paragraph (3) amends regulation 8 of the 1995 Regulations by substituting the words “health care professional” for “doctor”.

Regulation 4 amends the 1999 Regulations. Paragraphs (2) and (3) amend regulations 12 and 19 of the 1999 Regulations by substituting the words “health care professional” and “health care professional approved by the Secretary of State” for “medical practitioner”.

A full regulatory impact assessment has not been carried out in respect of these Regulations as they do not impose a cost on business, charities or the voluntary sector.