
STATUTORY INSTRUMENTS

2013 No. 377

The Social Security (Personal Independence Payment) Regulations 2013

PART 2

Personal independence payment assessment

Assessment of ability to carry out activities

4.—(1) For the purposes of section 77(2) and section 78 or 79, as the case may be, of the Act, whether C has limited or severely limited ability to carry out daily living or mobility activities, as a result of C's physical or mental condition, is to be determined on the basis of an assessment.

(2) C's ability to carry out an activity is to be assessed –

- (a) on the basis of C's ability whilst wearing or using any aid or appliance which C normally wears or uses; or
- (b) as if C were wearing or using any aid or appliance which C could reasonably be expected to wear or use.

[^{F1}(2A) Where C's ability to carry out an activity is assessed, C is to be assessed as satisfying a descriptor only if C can do so—

- (a) safely;
- (b) to an acceptable standard;
- (c) repeatedly; and
- (d) within a reasonable time period.]

(3) Where C has been assessed as having severely limited ability to carry out activities, C is not to be treated as also having limited ability in relation to the same activities.

[^{F2}(4) In this regulation—

- (a) “safely” means in a manner unlikely to cause harm to C or to another person, either during or after completion of the activity;
- (b) “repeatedly” means as often as the activity being assessed is reasonably required to be completed; and
- (c) “reasonable time period” means no more than twice as long as the maximum period that a person without a physical or mental condition which limits that person's ability to carry out the activity in question would normally take to complete that activity.]

Textual Amendments

- F1** Reg. 4(2A) inserted (8.4.2013) by [The Social Security \(Personal Independence Payment\) \(Amendment\) Regulations 2013 \(S.I. 2013/455\)](#), regs. 1, **2(a)**

Status: Point in time view as at 11/04/2022.

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Personal Independence Payment) Regulations 2013, Section 4. (See end of Document for details)

F2 Reg. 4(4) inserted (8.4.2013) by The Social Security (Personal Independence Payment) (Amendment) Regulations 2013 (S.I. 2013/455), regs. 1, **2(b)**

Commencement Information

I1 Reg. 4 coming into force in accordance with reg. 1(2) and S.I. 2013/358

Status:

Point in time view as at 11/04/2022.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Personal Independence Payment) Regulations 2013, Section 4.