
STATUTORY INSTRUMENTS

2013 No. 389

The Social Security (Disability Living Allowance, Attendance Allowance and Carer's Allowance) (Amendment) Regulations 2013

Saving

- 5.—(1) Where paragraph (2) of this regulation applies to a person ('P')—
- (a) regulation 2(2)(e) of regulation 2 of the Social Security (Attendance Allowance) Regulations 1991, or
 - (b) regulation 2(2)(e) of regulation 2 of the Social Security (Disability Living Allowance) Regulations 1991,

as the case may be, shall continue to have effect in relation to P as if regulation 3(3)(f) and (h) and regulation 4(3)(f) and (h) respectively, had not been made until the earlier of the events specified in paragraph (3) takes place.

- (2) This paragraph applies to P —
- (a) who on 8th April 2013 is absent from Great Britain;
 - (b) whose absence is temporary and for the specific purpose of being treated for incapacity, or a disabling condition, which commenced before they left Great Britain; and
 - (c) in respect of whom, before 8th April 2013 the Secretary of State had certified that it was consistent with the proper administration of the Contributions and Benefits Act that, subject to the satisfaction of the condition in paragraph (2)(b), P should be treated as though P were present in Great Britain.
- (3) The events specified for the purpose of paragraph (1) are either that—
- (a) P returns to Great Britain; or
 - (b) the first revision or supersession after 8th April 2013 is made in respect of P's award.