
STATUTORY INSTRUMENTS

1995 No. 311

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

PART II

GENERAL PROVISIONS RELATING TO INCAPACITY FOR WORK

CHAPTER II

INFORMATION AND EVIDENCE

Information required for determining capacity for work

6.—(1) Subject to paragraph (2) the information or evidence required for the purposes of determining whether a person is capable or incapable of work is—

- (a) where the own occupation test or the all work test applies, evidence of his incapacity for work in accordance with the Social Security (Medical Evidence) Regulations 1976⁽¹⁾ (which prescribe the form of doctor's statement or other evidence required in each case);
- (b) where the all work test applies, such information as the Secretary of State may request in the form of a questionnaire relating to a person's ability to perform the activities referred to in the Schedule;
- (c) such additional information relating to the relevant test as the Secretary of State may request.

(2) Where the Secretary of State is satisfied that he has sufficient information for a determination whether a person is capable or incapable of work without the information specified in paragraph (1) (b), that information shall not be required for the purposes of that determination.

(3) Where it has been determined that a person is to be treated as incapable of work under regulations 10 to 14 the information referred to in paragraph (1) shall not be required.

⁽¹⁾ S.I.1976/615; relevant amending instruments are S.I. 1982/699, S.I. 1989/1686, S.I. 1992/247 and S.I. 1994/2975.