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STATUTORY INSTRUMENTS

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**1999 No. 3109**

**The Social Security (Incapacity for Work)  
Miscellaneous Amendments Regulations 1999**

**PART IV**

**Consequential Amendments**

**The Social Security (Medical Evidence) Regulations 1976**

5. The Social Security (Medical Evidence) Regulations 1976(1) shall be amended as follows—
- (a) in regulation 1(2) for the definition of “the all work test” there shall be substituted the following—

““personal capability assessment” means the assessment provided for in section 171C of the Contributions and Benefits Act(2);”;
  - (b) in regulation 2(2) and in Part II of Schedule 1B for the words “all work test” wherever they appear there shall be substituted “personal capability assessment”; and
  - (c) in paragraphs 1, 2 and 3 of Part I of Schedule 1B for the words “all work test statement” wherever they appear there shall be substituted “personal capability assessment statement”.

**The Income Support (General) Regulations 1987**

6. Regulations 22A(1) and (3) of, and paragraph 25 of Schedule 1B to, the Income Support (General) Regulations 1987(3) shall be amended by the substitution for the words “all work test” of “personal capability assessment”.

**The Social Security (Incapacity Benefit) (Transitional) Regulations 1995**

7. The Social Security (Incapacity Benefit) (Transitional) Regulations 1995(4) shall be amended as follows—
- (a) in regulation 31(1)—
    - (i) for the words “the all work test shall apply to him” there shall be substituted the words “the question of whether he is capable or incapable of work shall fall to be determined in accordance with the personal capability assessment”;
    - (ii) for the words “that test” there shall be substituted “that assessment”; and
    - (iii) for the words “(the all work test)” there shall be substituted “(the personal capability assessment)”;

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(1) S.I. 1976/615. Relevant amendments were made by S.I. 1994/2975 and 1995/987.

(2) 1992 c. 4. Section 171C was inserted by section 5 of the Social Security (Incapacity for Work) Act 1994 (c. 18) and amended by section 61 of the Welfare Reform and Pensions Act 1999 (c. 30).

(3) S.I. 1987/1967. Relevant amendments were made and Schedule 1B was inserted by S.I. 1996/206.

(4) S.I. 1995/310. Relevant amendments were made by S.I. 1996/3207.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) in regulation 31(3) for the words “shall be treated as having satisfied” to the end there shall be substituted “shall be treated as being incapable of work in accordance with regulations made under section 171C of the 1992 Act (the personal capability assessment)”; and
- (c) in regulation 32 the words “(period after which the all work test applies)” shall be omitted.