STATUTORY INSTRUMENTS

1990 No. 672

SOCIAL SECURITY

The Mobility Allowance Amendment Regulations 1990

Made - - - -	*20th March 1990*
Laid before Parliament	*20th March 1990*
Coming into force	*11th April 1990*

The Secretary of State for Social Security, in exercise of powers conferred by section 37A(2), of, and Schedule 20 to, the Social Security Act 1975(**a**), after agreement by the Social Security Advisory Committee that the proposals in respect of these Regulations should not be referred to it(**b**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Mobility Allowance Amendment Regulations 1990 and shall come into force on 11th April 1990.

Amendment to the Mobility Allowance Regulations 1975

2. For paragraph (1) of regulation 3 of the Mobility Allowance Regulations 1975(**c**) (circumstances in which a person is or is not to be treated as suffering from physical disablement such that he is unable or virtually unable to walk) there shall be substituted the following paragraphs–

"(1) A person shall be treated, for the purposes of section 37A, as suffering from physical disablement such that he is either unable to walk or virtually unable to do so only if–

(a) his physical condition as a whole is such that, without having regard to circumstances peculiar to that person as to the place of residence or as to place of, or nature, of employment–

(i) he is unable to walk; or

(ii) his ability to walk out of doors is so limited, as regards the distance over which or the speed at which or the length of time for which or the manner in which he can make progress on foot without severe discomfort, that he is virtually unable to walk; or

(iii) the exertion required to walk would constitute a danger to his life or would be likely to lead to a serious deterioration in his health; or

(b) he is both blind and deaf and, by reason of the effects of those conditions in combination with each other, he is unable, without the assistance of another person, to walk to any intended or required destination while out of doors.

(1A) For the purposes of paragraph (1)(b) a person is–

(a) blind only where the degree of disablement resulting from loss of vision amounts to 100 per cent.;

(**a**) 1975 c.14. Schedule 20 is cited for the meaning it ascribes to "Prescribed" and "Regulations". Section 37A was added to the Social Security Act 1975 by section 22(1) of the Social Security Pensions Act 1975 (c.60).

(**b**) *See* section 61(1)(b) and (10) of the Social Security Act 1986 (c.50); the definition of "regulations" was added to section 61(10) by the Social Security Act 1989 (c.24) Schedule 8, paragraph 12(4).

(**c**) S.I. 1975/1573 to which the relevant amendment is S.I. 1979/172.

(b) deaf only where the degree of disablement resulting from loss of hearing amounts to not less than 80 per cent. on a scale where 100 per cent. represents absolute deafness.".

Signed by authority of the Secretary of State for Social Security.

Nicholas Scott
Minister of State,
Department of Social Security

20th March 1990

EXPLANATORY NOTE

(This note is part of the Regulations)

These Regulations amend regulation 3 of the Mobility Allowance Regulations 1975 to provide that a person who, by reason of the combined effects of being blind and deaf, is unable without the guidance of another person to walk to an intended or required destination while out of doors is to be treated as suffering from physical disablement such that he is unable or virtually unable to walk for the purposes of section 37A of the Social Security Act 1975.

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