

*These notes refer to the Child Poverty Act 2010 (c.9)  
which received Royal Assent on 25 March 2010*

## **CHILD POVERTY ACT 2010**

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### **EXPLANATORY NOTES**

#### **COMMENTARY ON SECTIONS AND SCHEDULES**

#### **Part 3 – MISCELLANEOUS AND GENERAL (Sections 26 to 32)**

##### ***Section 27: General Interpretation***

115. *Section 27 (subsection (1))* includes a definition of “child” for the purposes of the Act. In effect, “child” has the same meaning as “child” or “qualifying young person” for the purposes of assessing eligibility for child benefit, but actual entitlement to child benefit does not need to be proven in order to come within this definition. Section 142 of the Social Security Contributions and Benefits Act 1992 and regulations made under that Act (and similarly, for Northern Ireland, section 138 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992) set out who is eligible for child benefit.
116. *Subsection (1)* also includes a definition of ‘parent’ for the purposes of the Act. In effect, ‘parent’ covers persons who have parental responsibility for a child (*paragraph (a)* of the definition of ‘parent’ in *subsection (1)*) and persons who do not have parental responsibility but are caring for a child who resides with them, such as ‘family and friends’ carers (*paragraph (b)* of the definition of ‘parent’ in *subsection (1)*).

The definition of ‘parent’ is similar to that in section 576 of the Education Act 1996. However, *paragraph (b)* of the definition of ‘parent’ in *subsection (1)* requires that the child resides with the person caring for the child. This ensures that carers such as childminders who have temporary care of a child are not included in the definition of ‘parent’. ‘Parental responsibility’ is defined in accordance with the definition in the Children Act 1989 or equivalent Scottish or Northern Ireland legislation (*subsection (2)*).