

1977 No. 534

SOCIAL SECURITY

The Child Benefit (General) Amendment Regulations 1977

<i>Made - - -</i>	<i>22nd March 1977</i>
<i>Laid before Parliament</i>	<i>29th March 1977</i>
<i>Coming into Operation</i>	<i>3rd October 1977</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 2(2) and 4(1) of the Child Benefit Act 1975(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Child Benefit (General) Amendment Regulations 1977, shall be read as one with the Child Benefit (General) Regulations 1976(b) as amended(c) (hereinafter referred to as “the principal regulations”) and shall come into operation on 3rd October 1977.

Amendment of the principal regulations

2.—(1) In regulation 1(2) of the principal regulations (definitions) after the definition of “the Taxes Act” there shall be inserted the following definition:—

“‘advanced education’ means full-time education for the purposes of—

- (a) a course in preparation for a degree, a diploma of higher education, a higher national diploma or a teaching qualification; or
- (b) any other course which is certified by the Secretary of State as being a course of a standard above ordinary national diploma, general certificate of education (advanced level) or Scottish certificate of education (higher level);”.

(2) In regulation 6 of the principal regulations (interruption of full-time education)—

- (a) there shall be inserted at the beginning the words “Subject to paragraph (2),” and after the words “receiving full-time education” the words “not being advanced education”;
- (b) the said regulation shall be renumbered 6(1); and
- (c) the following paragraph shall be added at the end:—

“(2) Where it is established that a person—

- (a) has ceased to receive full-time education which is not advanced education after the end of May but before the end of August in any year; and

(a) 1975 c. 61.

(c) S.I. 1976/1758 (1976 III, p. 4640).

(b) S.I. 1976/965 (1976 II, p. 2529).

(b) is likely to commence or has commenced full-time education which is advanced education before the end of October in that year,

no account shall be taken of any interruption of that person's full-time education which is accepted as being reasonable in the particular circumstances of the case and which occurs before the end of August in that year."

(3) After regulation 7 of the principal regulations there shall be inserted the following regulation:—

"Exclusion from benefit of children aged 16 but under the age of 19 who are receiving advanced education

7A. Benefit shall not be payable in respect of a child by virtue of section 2(1)(b) of the Act (person to be treated as a child for any week in which he is aged 16 but under the age of 19 and receiving full-time education) if that child is receiving advanced education."

David Ennals,

Secretary of State for Social Services.

22nd March 1977.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Child Benefit (General) Regulations 1976. They insert into those Regulations a definition of "advanced education"; a new regulation which provides that child benefit is not payable in respect of a child aged 16 but under age 19 who is receiving advanced education; and make consequential amendments to regulation 6 of those Regulations which relates to interruption of full-time education.

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