

1978 No. 1275

SOCIAL SECURITY

The Child Benefit (General) Amendment Regulations 1978

Made - - - -	30th August 1978
Laid before Parliament	30th August 1978
Coming into Operation	31st August 1978

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

Citation, commencement and interpretation

1.—(1) These regulations, which may be cited as the Child Benefit (General) Amendment Regulations 1978, further amend the Child Benefit (General) Regulations 1976(b) as amended(c) (hereinafter referred to as “the principal regulations”) and shall come into operation on 31st August 1978.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(d) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of the principal regulations

2.—(1) In regulation 6 of the principal regulations (interruption of full-time education) there shall be substituted for the words “Subject to paragraph (2)”, at the beginning of paragraph (1), the words “Subject to paragraphs (2) and (3)” and the following paragraph shall be added after paragraph (2):—

“(3) The provisions of paragraph (1) shall not apply to any period of interruption of full-time education which is likely to be followed, or which is followed, immediately by a period during which provision is made for financial support to which regulation 7B applies.”.

(2) In regulation 8 of the principal regulations (employed trainees) there shall be inserted after paragraph (1) the following paragraph:—

“(1A) Subject to the provisions of paragraph (1), a child who is receiving education in any week shall be treated as receiving such education by virtue of his employment or of any office held by him if, in consideration of that education, that child receives financial support in respect of that week by virtue of his employment or any office held by him.”

and in paragraph (2) there shall be substituted for the words “For the purposes of paragraph (1)” the words “For the purposes of this regulation”.

(a) 1975 c. 61.

(b) S.I. 1976/965.

(c) The relevant amending instruments are S.I. 1977/534, 1978/540.

(d) 1889 c. 63.

New regulation to be inserted in principal regulations

3. There shall be inserted in the principal regulations, after regulation 7A thereof, the following regulation:—

“Child receiving financial support under the Employment and Training Act 1973

7B. Child benefit shall not be payable in respect of a child over the age of 16 for any week beginning after 31st August 1978 in which financial support for that child is being provided by way of payments under arrangements made by virtue of section 2 of the Employment and Training Act 1973(a).”.

David Ennals,
Secretary of State for Social Services.

30th August 1978.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Child Benefit (General) Regulations 1976 so as to provide that child benefit under the Child Benefit Act 1975 shall not be payable in respect of a child for any week beginning after 31st August 1978 while that child is receiving financial support by virtue of arrangements made under section 2 of the Employment and Training Act 1973 or during a period of interruption of full-time education immediately prior to receiving such financial support, and the Regulations also amend the 1976 regulations to secure that a child is to be treated as receiving education by virtue of his employment where he is receiving financial support from his employment in consideration of such education.

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