
 S T A T U T O R Y I N S T R U M E N T S

1983 No. 3

SOCIAL SECURITY

The Child Benefit (General) Amendment Regulations 1983

<i>Made - - - -</i>	<i>7th January 1983</i>
<i>Laid before Parliament</i>	<i>17th January 1983</i>
<i>Coming into Operation</i>	<i>7th February 1983</i>

The Secretary of State for Social Services, in exercise of powers conferred upon him by sections 2(2) and 4(1) of, and paragraph 1 of Schedule 1 to the Child Benefit Act 1975(a), and of all other powers enabling him in that behalf, after agreement with the Social Security Advisory Committee that proposals to make these regulations should not be referred to it(b), hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Child Benefit (General) Amendment Regulations 1983 and shall come into operation on 7th February 1983.

(2) In these regulations, “the principal regulations” means the Child Benefit (General) Regulations 1976(c).

Extension of the definition of ‘advanced education’ in the principal regulations

2. In regulation 1(2) of the principal regulations (interpretation) in the definition of “advanced education”, there shall be substituted for subparagraphs (a) and (b) the following sub-paragraphs:—

- “(a) a course in preparation for a degree, a diploma of higher education, a higher national diploma, a higher diploma of the Technician Education Council or the Scottish Technical Education Council, a higher national diploma of the Business Education Council or the Scottish Business Education Council 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, a diploma of the Technician Education Council or the Scottish Technical Education Council, a national diploma of the Business Education Council or the Scottish Business Education Council, a general certificate of education (advanced level), a Scottish certificate of education (higher grade) or a Scottish certificate of Sixth Year Studies.”

(a) 1975 c. 61.

(b) See the Social Security Act 1980 (c. 30), section 10(2)(b).

(c) S.I. 1976/965; the relevant amending instrument is S.I. 1977/534.

Amendment of Regulation 16 of the principal regulations

3.—(1) Regulation 16 of the principal regulations (children in detention, care etc) shall be further amended^(a) in accordance with the following provisions of this regulation.

(2) In paragraph (5)—

(a) in sub-paragraph (a) for the words “section 1 of the Children Act 1948” there shall be substituted the words “section 2 of the Child Care Act 1980^(b)”;

(b) in sub-paragraph (d)(i), after the words “(Magistrates Courts) Act 1960”, there shall be inserted the words “or section 10(1) of the Domestic Proceedings and Magistrates’ Courts Act 1978^(c)”.

(3) In paragraph (6)(b), head (iii) shall be renumbered head (iv), and for heads (i) and (ii) there shall be substituted the following heads:

“(i) that week is one in which falls the first day in a period of 7 consecutive days in which the child lives with that person for at least a part of the first day and throughout the following 6 days; or

(ii) that week is one in which falls the first day in a period of 7 consecutive days throughout which the child lives with that person, being a period of 7 consecutive days which immediately follows either a similar period of 7 consecutive days or the period of 7 consecutive days referred to in head (i) above, or

(iii) that week is one in which falls the day, or the first day in a period of less than 7 consecutive days, throughout which the child lives with that person, being a day or days which immediately follow the period of 7 consecutive days referred to in head (i) above or a period of 7 consecutive days referred to in head (ii).”

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

Geoffrey Finsberg,
Parliamentary Under Secretary of State,
Department of Health and Social Security.

7th January 1983.

(a) There are no amendments relevant to the subject matter of this regulation.
(b) 1980 c. 5.
(c) 1978 c. 22.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Child Benefit (General) Regulations 1976.

Regulation 2 provides that child benefit is not payable in respect of a child aged 16 years but under 19 who is receiving full-time education for purposes specified in the regulation.

Regulation 3 enables child benefit to be payable to a person with whom a child who is in the care of a local authority lives for a period of at least 7 consecutive days. Regulation 3 also up-dates various statutory references contained in regulation 16 of the Child Benefit (General) Regulations 1976.

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