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STATUTORY INSTRUMENTS

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**1988 No. 1446**

**SOCIAL SECURITY**

**The Social Security (Overlapping Benefits) Amendment Regulations 1988**

<i>Made</i>	- - - -	<i>12th August 1988</i>
<i>Laid before Parliament</i>		<i>15th August 1988</i>
<i>Coming into force</i>	- -	<i>5th September 1988</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 85 and 166(2) of the Social Security Act 1975(1) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it(2), hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Overlapping Benefits) Amendment Regulations 1988 and shall come into force on 5th September 1988.

**Amendment of the meaning of “training allowance”**

2. In regulation 2(1) of the Social Security (Overlapping Benefits) Regulations 1979(3), in the definition of “training allowance”, for the words “but it does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education or is training as a teacher”, there shall be substituted the following words —

“but it does not include —

- (a) an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education or is training as a teacher; or
- (b) a payment made by or on behalf of the Secretary of State to any person by way of training premium or training bonus in consequence of that person’s use of facilities

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(1) 1975 c. 14; section 85(2) was amended by the Child Benefit Act 1975 (c. 61) Schedule 4, paragraph 28; section 85(4) and (5) was inserted by the Social Security Act 1979 (c. 18), section 15(1).  
(2) See section 10(2)(b) of the Social Security Act 1980 (c. 30). Section 10 was amended by paragraph 98 of Schedule 10 to the Social Security Act 1986 (c. 50).  
(3) S.I. 1979/597, to which there are amendments not relevant to these Regulations.

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for training provided in pursuance of arrangements made under section 2 of the Employment and Training Act 1973(4).”.

Signed by authority of the Secretary of State for Social Security

12th August 1988.

*Nicholas Scott*  
Minister of State  
Department of Social Security

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(4) 1973 c. 50; section 2 was substituted by the Employment Act 1988 (c. 19), section 25.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into force on 5th September 1988, amend the definition of “training allowance” in the Social Security (Overlapping Benefits) Regulations 1979 so as to exclude from its scope any training premium or training bonus payable by or on behalf of the Secretary of State to any person undertaking training where the facilities used are provided in pursuance of arrangements made under section 2 of the Employment and Training Act 1973.