

---

STATUTORY INSTRUMENTS

---

**1998 No. 1811**

**SOCIAL SECURITY**

**The Social Security (Guardian's Allowances) Amendment Regulations 1998**

<i>Made</i>	- - - -	<i>22nd July 1998</i>
<i>Laid before Parliament</i>		<i>30th July 1998</i>
<i>Coming into force</i>	- -	<i>31st August 1998</i>

The Secretary of State for Social Security, in exercise of powers conferred by sections 77(8)(a) and 175(1) and (3) to (5) of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup> and of all other powers enabling her in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>(2)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Guardian's Allowances) Amendment Regulations 1998 and shall come into force on 31st August 1998.

**Amendment of the Social Security (Guardian's Allowances) Regulations 1975**

2. In regulation 4(1) of the Social Security (Guardian's Allowances) Regulations 1975 (children of divorced persons, etc.)<sup>(3)</sup> for the words from "there was no order" to "of the Act" the following words shall be substituted—

“there was neither—

- (a) an order of a court granting custody of the child to that other parent or imposing any liability on him for the child's maintenance; nor
- (b) a maintenance assessment as defined in section 54 of the Child Support Act 1991<sup>(4)</sup> in force in respect of that other parent and the child, then section 77(2) of the Social Security Contributions and Benefits Act 1992”.

---

(1) 1992 c. 4.  
(2) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).  
(3) S.I.1975/515.  
(4) 1991 c. 48.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

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

22nd July 1998

*Patricia Hollis*  
Parliamentary Under-Secretary of State,  
Department of Social Security

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

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

These Regulations amend the Social Security (Guardian's Allowances) Regulations 1975 (S.I.1975/515) with respect to a child whose parents are divorced so that at the death of one parent, where there was no maintenance assessment under the Child Support Act 1991 (c. 48) in force in respect of the other parent and the child, entitlement to guardian's allowance may arise.

These Regulations do not impose a charge on business.