

**2001 No. 1265**

**SOCIAL SECURITY**

**The Social Security Pensions (Home Responsibilities)  
(Amendment) Regulations 2001**

<i>Made</i> - - - -	<i>29th March 2001</i>
<i>Laid before Parliament</i>	<i>3rd April 2001</i>
<i>Coming into force</i>	<i>6th April 2002</i>

The Secretary of State for Social Security, in exercise of powers conferred by section 122(5) and 175(1) and (4) of, and paragraph 5(7)(b) of Schedule 3 to, the Social Security Contributions and Benefits Act 1992(a) and of all other powers enabling him in that behalf, after agreement by 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 Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001 and shall come into force on 6th April 2002.

(2) In these Regulations—

“the 1994 Regulations” means the Social Security Pensions (Home Responsibilities) Regulations 1994(c).

**Amendment of the 1994 Regulations**

2. In regulation 2 of the 1994 Regulations (preclusion from regular employment for the purpose of paragraph 5(7)(b) of Schedule 3 to the Social Security Contributions and Benefits Act 1992) after paragraph (4), insert—

“(4A) For the purposes of paragraph (2)(a) above, where—

- (a) child benefit first becomes payable to a person in respect of a child on the first Monday in a year; and
- (b) child benefit would, but for the provisions of section 147(2) of the Act, have been payable to that person in respect of that child for the part of that year falling before that Monday,

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(a) 1992 c. 4. Section 175(1) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2).

(b) See section 173(1)(b) of the Social Security Administration Act 1992 (c.5).

(c) S.I. 1994/704.

that person shall be treated as if he were entitled to child benefit and, accordingly, as if child benefit were payable to him for that part of that year.”.

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

29th March 2001

*Jeff Rooker*  
Minister of State,  
Department of Social Security

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### EXPLANATORY NOTE

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

These Regulations amend the Social Security Pensions (Home Responsibilities) Regulations 1994 (S.I. 1994/704) (“the 1994 Regulations”).

Regulation 1 provides for citation, commencement and interpretation.

Regulation 2 amends regulation 2 of the 1994 Regulations by the insertion of a new paragraph (paragraph (4A)) which applies where child benefit first becomes payable to a person in respect of a child on the first Monday of a tax year and would have been so payable for the part of that year falling before that first Monday but for the provisions of section 147(2) of the Social Security Contributions and Benefits Act 1992. Where it applies, new paragraph (4A) provides that such a person shall be treated as if he were entitled to child benefit and as if child benefit had been payable to him for that part of that year, in order to be treated for the purpose of the 1994 Regulations as precluded from regular employment in that year due to responsibilities at home.

These Regulations do not impose any costs on business.

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