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STATUTORY INSTRUMENTS

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**2016 No. 985**

**The Healthy Start Scheme and Welfare  
Food (Amendment) Regulations 2016**

**Amendment of regulation 3 of the principal Regulations**

2.—(1) Regulation 3 of the principal Regulations (entitlement to benefit)(1) is amended as follows.

(2) In paragraph (2)—

- (a) in sub-paragraph (b)(i), for “or (b)” substitute “, (aa) or (b)”;
- (b) in sub-paragraph (b)(ii), for “or (d)” substitute “, (d) or (da)”;
- (c) in sub-paragraph (b)(iii), after “(3)(e)” insert “or (f)”;

(3) In paragraph (3)—

(a) after sub-paragraph (a) insert—

- “(aa) a pregnant woman who is not under the age of 18, has been pregnant for more than 10 weeks and who—
  - (i) is entitled to universal credit and satisfies the condition in paragraph (8); or
  - (ii) is the responsibility (within the meaning of regulation 4 of the Universal Credit Regulations 2013(2)) of a person who is entitled to universal credit and who satisfies the condition in paragraph (8);”;

(b) in sub-paragraph (d)(i), for “18” substitute “16”;

(c) at the end of sub-paragraph (d)(iii) omit “or”;

(d) after sub-paragraph (d) insert—

- “(da) a mother who is not under the age of 16 who has parental responsibility for a child under the age of 1 year and who—
  - (i) is entitled to universal credit and satisfies the condition in paragraph (8); or
  - (ii) is the responsibility (within the meaning of regulation 4 of the Universal Credit Regulations 2013) of a person who is entitled to universal credit and satisfies the condition in paragraph (8);”;

(e) at the end of sub-paragraph (e) insert “or”;

(f) after sub-paragraph (e), insert

- “(f) a child who is under the age of 4 years—
  - (i) who is the responsibility (within the meaning of regulation 4 of the Universal Credit Regulations 2013) of a person who is entitled to universal credit and who satisfies the condition in paragraph (8); or
  - (ii) for whom a relevant child has parental responsibility.”;

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(1) Regulation 3 was amended by S.I. 2006/2818, S.I. 2008/408, S.I. 2008/1879, S.I. 2009/295 and S.I. 2010/434.

(2) S.I. 2013/376. Regulation 4 was amended by S.I. 2013/1508.

- (4) In paragraph (4), for “or (d)” substitute “, (d) or (da)”.
- (5) In paragraph (5), for “or (d)” substitute “, (d) or (da)”.
- (6) In paragraph (6), after “(3)(e) insert “or (f)”.
- (7) In paragraph (7), after “(e)” insert “, the definition of “relevant child” in paragraph (11)”;
- (8) After paragraph (7) insert—
- “(8) A person satisfies the condition in this paragraph if the person—
- (a) is a single claimant of universal credit and has earned income of £408 or less; or,
- (b) is one of joint claimants of universal credit and the joint claimants have combined earned income of £408 or less,
- in the period specified in paragraph (9).
- (9) The period is—
- (a) the most recent complete assessment period; or
- (b) the assessment period immediately preceding that assessment period.
- (10) A person who is entitled to benefit by virtue of only paragraph (9)(b) does not cease to be so entitled until the expiry of 8 weeks beginning with the day after the last day of the most recent complete assessment period.
- (11) In this regulation—
- “assessment period” has the meaning given in regulation 21 of the Universal Credit Regulations 2013(3);
- “earned income” means a person’s earned income calculated in accordance with Chapter 2 of Part 6 of the Universal Credit Regulations 2013(4);
- “joint claimants” has the meaning given in section 40 of the Welfare Reform Act 2012;
- “relevant child” means a child—
- (a) who is the responsibility of, and member of the same household as, a person who—
- (i) is entitled to income support, an income-based jobseeker’s allowance, or child tax credit, where the relevant income of the person or persons to whom the award of child tax credit is made under section 14 of the Tax Credits Act 2002(5) is determined at the time of the award not to exceed £16,190; and
- (ii) either is not entitled to working tax credit or is treated as not being so entitled by virtue of paragraph (7); or
- (b) is the responsibility (within the meaning of regulation 4 of the Universal Credit Regulations 2013) of a person who is entitled to universal credit and satisfies the condition in paragraph (8);
- “single claimant” has the meaning given in section 40 of the Welfare Reform Act 2012.”.

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(3) Regulation 21 was amended by [S.I. 2014/2887](#) and [S.I. 2015/1362](#).

(4) Chapter 2 of Part 6 was amended by [S.I. 2013/1508](#), [S.I. 2014/2888](#) and [3255](#) and [S.I. 2015/67](#), [478](#) and [354](#).

(5) [2012 c.21](#).