



Social Security Contributions and Benefits Act 1992

1992 CHAPTER 4

PART IV

INCREASES FOR DEPENDANTS

Child dependants

81 Restrictions on increase - child not living with beneficiary etc

- (1) Where, apart from this subsection, a person is entitled to receive, in respect of a particular child, payment of an amount by way of an increase under section 80 above of any benefit, that amount shall not be payable unless one of the conditions specified in subsection (2) below is satisfied.
- (2) Those conditions are—
 - (a) that the beneficiary would be treated for the purposes of Part IX of this Act as having the child living with him; or
 - (b) that the requisite contributions are being made to the cost of providing for the child.
- (3) The condition specified in subsection (2)(b) above is to be treated as satisfied if, but only if—
 - (a) such contributions are being made at a weekly rate not less than the amount referred to in subsection (1) above—
 - (i) by the beneficiary; or
 - (ii) where the beneficiary is one of two spouses residing together, by them together; and
 - (b) except in prescribed cases, the contributions are over and above those required for the purpose of satisfying section 143(1)(b) below.