



Children (Leaving Care) Act 2000

2000 CHAPTER 35

6 Exclusion from benefits

- (1) No person is entitled to income-based jobseekers allowance under the Jobseekers Act 1995, or to income support or housing benefit under the Social Security Contributions and Benefits Act 1992, while he is a person to whom this section applies.
- (2) Subject to subsection (3), this section applies to—
 - (a) an eligible child for the purposes of paragraph 19B of Schedule 2 to the Children Act 1989;
 - (b) a relevant child for the purposes of section 23A of that Act; and
 - (c) any person of a description prescribed in regulations under subsection (4).
- (3) The Secretary of State may by regulations provide that this section does not apply to a person who falls within subsection (2)(a) or (b) but who also falls within such category or description, or satisfies such conditions, as may be prescribed in the regulations.
- (4) The Secretary of State may make regulations prescribing descriptions of person who do not fall within subsection (2)(a) or (b) but who—
 - (a) have been looked after by a local authority in Scotland (within the meaning of section 17(6) of the Children (Scotland) Act 1995); and
 - (b) otherwise correspond (whether or not exactly) to eligible or relevant children.
- (5) The Secretary of State may in regulations make such transitional, consequential and saving provision as he considers necessary or expedient in connection with the coming into force of this section.
- (6) Section 175(3) to (5) of the Social Security Contributions and Benefits Act 1992 (supplemental power in relation to regulations) applies to regulations made under this section as it applies to regulations made under that Act.
- (7) Powers to make regulations under this section include power to make different provision for different areas.
- (8) Powers to make regulations under this section are exercisable by statutory instrument.

Status: This is the original version (as it was originally enacted).

- (9) No statutory instrument containing regulations under subsection (4) is to be made unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House of Parliament.
- (10) A statutory instrument containing regulations under subsection (3) or (5) shall be subject to annulment in pursuance of a resolution of either House of Parliament.