

1976 No. 2194

SOCIAL SECURITY**The Social Security (Child Benefit Consequential)
(Transitional Adjudication) Regulations 1976***Made - - - - 22nd December 1976**Laid before Parliament 23rd December 1976**Coming into Operation 13th January 1977*

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 20(1) of the Child Benefit Act 1975(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Child Benefit Consequential) (Transitional Adjudication) Regulations 1976 and shall come into operation on 13th January 1977.

(2) In these regulations, unless the context otherwise requires—

“the Act” means the Social Security Act 1975(b);

“child benefit” means child benefit under the Child Benefit Act 1975;

“determining authority” means, as the case may require, an insurance officer appointed under section 97 of the Act, a local tribunal appointed under that section or a Commissioner;

“transitional period” means the period beginning on 8th August 1976 and ending immediately before 4th April 1977,

and other expressions have the same meanings as in the Act.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(c) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Awards of benefit or increase of benefit under the Act made in the transitional period in respect of a child

2.—(1) Where—

(a) a claim for benefit or an increase of benefit under the Act in respect of a child is made in the transitional period;

(b) a determining authority determines that claim before the end of that period; and

(c) the determining authority is satisfied that the claimant is likely to be entitled or to be treated as entitled to child benefit in respect of that child for a period beginning on 4th April 1977,

the determining authority may award the claimant benefit or an increase of benefit under the Act in respect of that child for a period extending beyond 3rd April 1977.

(a) 1975 c. 61.

(b) 1975 c. 14.

(c) 1889 c. 63.

(2) A decision to which paragraph (1) of this regulation applies shall, as respects any period after 3rd April 1977, be subject to the condition that all the requirements for entitlement to the benefit or increase of benefit under the Act in respect of the child are satisfied and such a decision may be reviewed if those requirements are found not to be satisfied.

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

Stanley Orme,

Minister for Social Security,
Department of Health and Social Security.

22nd December 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

If before 4th April 1977 (the date on which child benefit under the Child Benefit Act 1975 first becomes payable) the statutory authorities (ie, insurance officers, local tribunals and the National Insurance Commissioners) are satisfied that a person who has claimed benefit or an increase of benefit under the Social Security Act 1975 in respect of a child is, from and including that date, likely to be or to be treated as entitled to child benefit for that child, these Regulations authorise them to award benefit or an increase of benefit under the Social Security Act 1975 in respect of that child for a period extending beyond 3rd April 1977.

SI 1976/2194
ISBN 0-11-062194-8

