
 S T A T U T O R Y I N S T R U M E N T S

1977 No. 385

EDUCATION, ENGLAND AND WALES

The Provision of Milk and Meals (Amendment)

Regulations 1977

<i>Made - - - -</i>	<i>3rd March 1977</i>
<i>Laid before Parliament</i>	<i>11th March 1977</i>
<i>Coming into Operation</i>	<i>4th April 1977</i>

The Secretary of State for Education and Science and the Secretary of State for Wales, in joint exercise of the powers conferred by section 49 of the Education Act 1944(a) as amended by section 1 of the Education (Milk) Act 1971(b) and section 9 of the Education Act 1976(c) and vested in them (d), hereby make the following regulations:—

Citation, commencement, construction and interpretation

1.—(1) These regulations may be cited as the Provision of Milk and Meals (Amendment) Regulations 1977 and shall come into operation on 4th April 1977.

(2) These regulations and the Provision of Milk and Meals Regulations 1969 to 1976 may be cited together as the Provision of Milk and Meals Regulations 1969 to 1977.

(3) References to regulations, and to schedules to regulations, are, unless the context otherwise requires, to be construed as references to regulations of, and to schedules to, the Provision of Milk and Meals Regulations 1969(e) as amended(f); and these regulations shall be construed as one with those regulations.

(4) The Interpretation Act 1889(g) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendments consequential on introduction of child benefit

2.—(1) For paragraph 3(2)(d) of schedule 1 there shall be substituted—
“(d) benefit paid under section 1 of the Child Benefit Act 1975(h) (“child benefit”)”.

(2) After paragraph 3(4) of schedule 1 there shall be inserted as a new subparagraph—

“(4A) In the case of any parent of a child in respect of whom child benefit is paid, the sum determined by the authority as the amount by which his

(a) 1944 c. 31. (b) 1971 c. 74. (c) 1976 c. 81.

(d) S.I. 1964/490, 1970/1536 (1964 I, p. 800; 1970 III, p. 5289).

(e) S.I. 1969/483 (1969 I, p. 1382).

(f) The relevant amending instruments are S.I. 1971/1368, 1973/271, 1299, 1975/311, 1619, 1976/402, 1705 (1971 II, p. 3844; 1973 I, p. 1017; II, p. 3918; 1975 I, p. 831; III, p. 5617; 1976 I, p. 1074; III, p. 4552).

(g) 1889 c. 63.

(h) 1975 c. 61.

income exceeds the income he would have received if that benefit had not been paid and (where any family allowance or child interim benefit was payable in respect of the child immediately before 4th April 1977) that allowance or interim benefit had been paid.”

Other amendment

3. In regulation 10(5), for “section 4 of the Ministry of Social Security Act 1966(a)” there shall be substituted “section 1 of the Supplementary Benefits Act 1976(b)”.

Given under the Official Seal of the Secretary of State for Education and Science on 1st March 1977.

(L.S.)

Shirley Williams,
Secretary of State for Education
and Science.

Given under my hand on 3rd March 1977.

John Morris,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations (a) provide for child benefit to be taken into account in calculating parental income for the purpose of determining entitlement to remission of the charge for school dinner and (b) preserve the entitlement to remission of some parents who would otherwise lose it as a result of the payment of that benefit.

(a) 1966 c. 20.

(b) 1976 c. 71.

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