
STATUTORY INSTRUMENTS

1997 No. 454

**The Social Security (Miscellaneous
Amendments) Regulations 1997**

Amendment of the Social Security (Child Maintenance Bonus) Regulations 1996

8.—(1) The Social Security (Child Maintenance Bonus) Regulations 1996⁽¹⁾ shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1 (citation, commencement and interpretation)—

- (a) in paragraph (2), in the definition of “child maintenance” in sub-paragraph (b), for the words “to a parent with care” there shall be substituted the words “to a person with care”;
- and
- (b) in paragraph (7) after the words “these Regulations” there shall be inserted the words “other than regulation 4 (bonus period)”.

(3) In regulation 3 (entitlement to a bonus), after paragraph (1) there shall be inserted the following paragraph—

“(1A) In the case of an applicant who satisfies the requirements of paragraph (1)(f) but whose entitlement, or whose partner’s entitlement, to a qualifying benefit ceased otherwise than as a result of satisfying the work condition, for sub-paragraph (d) of paragraph (1) there shall be substituted the following sub-paragraph—

“(d) had the work condition been satisfied on the day she, or her partner, was last entitled to a qualifying benefit, that entitlement would as a consequence have ceased.””

(4) In regulation 4 (bonus period)—

- (a) in paragraph (1), after the words “7th April 1997” there shall be inserted the words “, other than days to which paragraph (9) applies,” and in sub-paragraph (c), for head (i) there shall be substituted the following head—

“(i) taken into account in determining, for the purposes of the qualifying benefit, the amount of the claimant’s income.”;

- (b) in paragraph (3), in sub-paragraph (b), head (i) shall be omitted;
- (c) in paragraph (7), for sub-paragraph (b), there shall be substituted the following sub-paragraph—

“(b) on the date of death of a person with care of a qualifying child to whom child maintenance is payable.”; and

(d) after paragraph (7), there shall be added the following paragraphs—

“(8) In paragraphs (1)(c)(i) and (9) “claimant”—

- (a) where the qualifying benefit is income support, means a person who claims income support; and

- (b) where the qualifying benefit is a jobseeker's allowance, means a person who claims a jobseeker's allowance.
- (9) This paragraph applies to days on which the claimant is a person to whom—
 - (a) regulation 70 of the Income Support (General) Regulations 1987⁽²⁾ (urgent cases) applies other than by virtue of paragraph (2)(a) of that regulation (certain persons from abroad), or
 - (b) regulation 147 of the Jobseeker's Allowance Regulations 1996⁽³⁾ applies other than by virtue of paragraph (2)(a) of that regulation.”.
- (5) In regulation 5 (amount payable) paragraphs (2) and (4) shall be omitted.
- (6) In regulation 6 (Secretary of State estimates) in paragraph (1), for the words “who is in receipt of a qualifying benefit” there shall be substituted the words “with care”, and for the words “the person in receipt of the qualifying benefit”, there shall be substituted the words “that person”.
- (7) In regulation 7 (death of a person with care of a child), in paragraph (1), in sub-paragraph (a), for the words “child in respect of whom child maintenance is payable dies;” there shall be substituted the words “qualifying child to whom child maintenance is payable dies;”.
- (8) In regulation 10 (claiming a bonus), in paragraph (1)—
 - (a) in sub-paragraph (b) the words “or entitlement to the qualifying benefit” shall be omitted;
 - (b) for sub-paragraph (c) there shall be substituted the following sub-paragraph—
 - “(c) where—
 - (i) a person with care cares for one child only; and
 - (ii) that child dies,in the period not exceeding 12 months which begins on the date the child died and throughout which she, or where she has a partner, her partner is entitled to a qualifying benefit; or”.
- (9) In regulation 15 (capital to be disregarded)—
 - (a) in paragraph (a) for the words “paragraph 48” there shall be substituted the words “paragraph 50”;
 - (b) in paragraph (b) for the words “paragraph 49” there shall be substituted the words “paragraph 51”;
 - (c) in paragraph (c) for the words “paragraph 50” there shall be substituted the words “paragraph 52”; and
 - (d) in paragraph (d) for the words “paragraph 50” there shall be substituted the words “paragraph 52”.
- (10) In regulation 16 (no deduction from bonus), which adds words to and inserts a regulation in other Regulations, where the words added or the regulation inserted include the words “Child Maintenance Bonus” for those words there shall be substituted the words “Social Security (Child Maintenance Bonus)”.

(2) S.I. 1987/1967.
(3) S.I. 1996/207.