EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations establish a scheme in the area in the West of England encompassed within postcode districts commencing with “PL”, “TR”, “TQ” and “EX” to provide benefits for pregnant women, mothers and children (“the Healthy Start scheme”). They are the first set of regulations made under new powers in section 13 (benefits under schemes for improving nutrition: pregnant women, mothers and children) of the Social Security Act 1988(1) (“the 1988 Act”). Section 13 of the 1988 Act was replaced by wording in section 185 of the Health and Social Care (Community Health and Standards) Act 2003(2) (replacement of the Welfare Food Schemes: Great Britain). The Regulations also amend the Welfare Food Regulations 1996(3) (“the 1996 Regulations”).

Part I deals with preliminary matters. Regulations 1 and 2 provide for citation, commencement and interpretation. The Regulations are to come into force on the day after the day on which they are made.

Part II covers entitlement to benefit under the Healthy Start scheme. Persons entitled to benefit under the Healthy Start scheme are described in regulation 3 and Schedule 1. Regulation 3 also provides for the Healthy Start food benefit to which a beneficiary is entitled.

Regulation 4 and Schedule 2 make provision for claims for the Healthy Start benefit. Regulation 5 and Schedule 3 make further provision in relation to Healthy Start food. Advice on health and nutrition is provided for by regulation 6. Regulation 7 is concerned with cessation of entitlement to the Healthy Start benefit.

Part III is concerned with voucher arrangements. Regulation 8 provides for the issue of a voucher under the Healthy Start scheme. The value represented by the voucher is £2.80. Use of a voucher is covered by regulation 9. Regulation 10 details what is to happen if a beneficiary fails to receive benefit, and regulation 11 provides for property in a voucher.

Part IV sets out the arrangements concerning food outlets in the Healthy Start scheme. Applications to be registered as a food outlet are provided for in regulation 12 and Schedule 4. The duties of a food outlet are set out in regulation 13. Regulation 14 and Schedule 5 detail the procedures for payment of a food outlet. Regulation 15 imposes a requirement to furnish information in the specified circumstances.

Part V contains the final provisions. Regulation 16 makes amendments to the 1996 Regulations to provide for the Healthy Start scheme including the creation of new criminal offences. Regulation 17 makes transitional provision. Other amendments and revocations to provisions of the 1996 Regulations are made by regulation 18.

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Department of Health, Wellington House, 133 – 155 Waterloo Road, London SE1 8UG.

(1) 1988 c. 7.
(2) 2003 c. 43. See the Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 7) Order 2005, 2005 No. 2278 (C.95) and the Health and Social Care (Community Health and Standards) Act 2003 (Savings) Order 2005, S.I. 2005/2279 for provisions on commencement and savings that affect section 185.