

2006 No. 692

SOCIAL SECURITY

The Social Security (Provisions relating to Qualifying Young Persons) (Amendment) Regulations 2006

<i>Made</i>	- - - -	<i>9th March 2006</i>
<i>Laid before Parliament</i>		<i>16th March 2006</i>
<i>Coming into force</i>	- -	<i>10th April 2006</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 82(4), 85(4), 86A, 90(b), 114(1), 122(1) and (5) and 175(1) and (3) of, and paragraph 6(1)(b) and (5) of Schedule 7 to, the Social Security Contributions and Benefits Act 1992(a) and sections 1(1C), 189(1) and (4) and 191 of the Social Security Administration Act 1992(b).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(c).

Citation and commencement

1. These Regulations may be cited as the Social Security (Provisions relating to Qualifying Young Persons) (Amendment) Regulations 2006 and shall come into force on 10th April 2006.

Amendment of the Social Security Benefit (Dependency) Regulations 1977

2.—(1) The Social Security Benefit (Dependency) Regulations 1977(d) are amended as follows.

(2) In regulation 10 (increase of benefit for person having care of child)(e)—

- (a) in the heading, after “**child**” add “**or qualifying young person**”;
- (b) in paragraph (1), after “children” insert “or a qualifying young person or persons”; and
- (c) in paragraph (2)—

(a) 1992 c.4. Section 82(4) was amended by paragraph 35 of Schedule 24 to the Civil Partnership Act 2004 (c.33) and by paragraph 5 of Schedule 1 to the Child Benefit Act 2005 (c.6). Section 85(4) was amended by paragraph 18 of Schedule 4 to the Pensions Act 1995 (c.26) and by paragraph 37 of Schedule 24 to the Civil Partnership Act 2004. Section 86A was inserted by section 2(5) of the Social Security (Incapacity for Work) Act 1994 (c.18). Section 90(b) was amended by paragraph 26 of Schedule 8 to the Welfare Reform and Pensions Act 1999 (c.30) and by paragraph 2(d) of the Schedule to S.I. 2002/1457. Section 122(1) is an interpretation provision and is cited because of the meaning given to the word “prescribe”. Section 175(1) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2). Paragraph 6(1)(b) of Schedule 7 was amended by paragraph 52 of Schedule 24 to the Civil Partnership Act 2004 and by paragraph 16 of Schedule 1 to the Child Benefit Act 2005.

(b) 1992 c.5. Section 1(1C) was inserted by section 19 of the Social Security Administration (Fraud) Act 1997 (c.47). Section 189(1) was amended by paragraph 57 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999. Section 191 is an interpretation provision and is cited because of the meaning given to the word “prescribe”.

(c) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992.

(d) S.I. 1977/343.

(e) Relevant amending instruments are S.I. 1984/1698 and 1989/523 and 1642.

- (i) in sub-paragraph (a), after “child” insert “or qualifying young person”; and
- (ii) in sub-paragraph (e)—
 - (aa) in head (i), after “children” insert “or a qualifying young person or persons”; and
 - (bb) in head (ii), after “children” insert “or qualifying young person or persons”.

(3) In regulation 11(1) (contribution to maintenance of adult dependant)(a), after “child”, in each place, insert “or qualifying young person”.

(4) In paragraph 7(b) of Schedule 2 (increase of carer’s allowance for adult dependants)(b)—

- (a) after “not being a child” insert “or qualifying young person”; and
- (b) after “children”, in both places, insert “or a qualifying young person or persons”.

Amendment of the Social Security (Widow’s Benefit and Retirement Pensions) Regulations 1979

3.—(1) The Social Security (Widow’s Benefit and Retirement Pensions) Regulations 1979(c) are amended as follows.

(2) In regulation 16 (provision in relation to entitlement to child benefit for the purposes of a widowed mother’s allowance)—

- (a) in paragraph (1)—
 - (i) in sub-paragraph (a)(d), for the words from “any person” to “a child falling” substitute “any person under the age of 20 residing with the widow shall be deemed to be”; and
 - (ii) in sub-paragraph (b), omit “a child falling”;
- (b) in paragraph (2), after “any child” insert “or qualifying young person”; and
- (c) in paragraph (3), after “the child” insert “or qualifying young person”.

(3) In regulation 16ZA (provision in relation to entitlement to child benefit for the purposes of a widowed parent’s allowance)(e)—

- (a) in paragraph (1), after—
 - (i) “a child”,
 - (ii) “that child”, and
 - (iii) “the child”, in both places, insert “or qualifying young person”; and
- (b) in paragraph (2), after “any child” insert “or qualifying young person”.

(4) In regulation 16A (disapplication of section 1(1A) of the Administration Act for the purposes of widowed mother’s allowance or widowed parent’s allowance)(f), after “child” insert “or qualifying young person”.

Amendment of the Social Security (Incapacity Benefit – Increases for Dependants) Regulations 1994

4.—(1) The Social Security (Incapacity Benefit – Increases for Dependants) Regulations 1994(g) are amended as follows.

(a) Relevant amending instruments are S.I. 1983/1001, 1984/1698 and 1989/1642.
 (b) Paragraph 7(b) was substituted by section 37 of the Social Security Act 1986 (c.50) and amended by S.I. 1988/554 and by S.I. 2002/2497.
 (c) S.I. 1979/642.
 (d) Sub-paragraph (a) was substituted by regulations 2(6) and 3 of S.I. 1987/1854.
 (e) Regulation 16ZA was inserted by regulation 2(a) of S.I. 2001/1235 and amended by paragraph 10(4) of Schedule 3 to S.I. 2005/2877.
 (f) Regulation 16A was inserted by regulation 15(3) of S.I. 1997/2676 and amended by regulation 2(b) of S.I. 2001/1235.
 (g) S.I. 1994/2945.

(2) In regulation 9 (increase of incapacity benefit for adult dependants and persons having the care of children)(a)—

(a) in the heading, after “**children**” add “**or qualifying young persons**”; and

(b) in paragraph (1), after “a child”, in each place, insert “or qualifying young person”.

(3) In regulation 10(3) and (4) (earnings rule for increases for adult dependants), after “child”, in each place, insert “or qualifying young person”.

(4) In regulation 12(1) (contribution to maintenance of adult dependant)(b)—

(a) after “children” insert “or qualifying young persons”; and

(b) after “child”, in both places, insert “or qualifying young person”.

Signed by authority of the Secretary of State for Work and Pensions.

9th March 2006

Stephen C. Timms
Minister of State,
Department for Work and Pensions

(a) Regulation 9(1) was amended by regulation 2(7)(c)(i) of S.I. 2003/937 and by paragraph 23 of Schedule 3 to S.I. 2005/2877.
(b) Regulation 12 was amended by paragraph 23 of Schedule 3 to S.I. 2005/2877.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

- regulations 10 and 11 of, and paragraph 7(b) of Schedule 2 to, the Social Security Benefit (Dependency) Regulations 1977,
- regulations 16, 16ZA and 16A of the Social Security (Widow's Benefit and Retirement Pensions) Regulations 1979, and
- regulations 9, 10 and 12 of the Social Security (Incapacity Benefit – Increases for Dependants) Regulations 1994,

to reflect the fact that persons in respect of whom child benefit is payable after their 16th birthdays are no longer referred to as children, but as qualifying young persons, by virtue of the Child Benefit Act 2005.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities and voluntary bodies.

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