

## SCHEDULE 1

### CONSEQUENTIAL MODIFICATIONS: GENERAL

## PART 2

### AMENDMENT OF SECONDARY LEGISLATION

#### *Housing Renewal Grants (Reduction of Grant) Regulations (Northern Ireland) 2004 (S.R. 2004 No. 8)*

**36.** In paragraph 25(1)(c) of Schedule 3 (sums to be disregarded in the determination of income other than earnings) to the Housing Renewal Grants (Reduction of Grant) Regulations (Northern Ireland) 2004 at the end insert “or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes)”. Disqualification from Caring for Children (Wales) Regulations 2004 ([S.I. 2004/2695 \(W.235\)](#))

**37.** After paragraph 24 of the Schedule (relevant persons) to the Disqualification from Caring for Children (Wales) Regulations 2004(1) insert—

“**24A.** The person has had, by virtue of the making of a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007, all parental responsibilities or parental rights in relation to the child removed.”.

Rheoliadau Datgymhwyso rhag Gofalu am Blant (Cymru) 2004 ([O.S. 2004/2695 \(Cy.235\)](#))

**38.** After paragraph 24 of the Schedule (Atodlen - personau perthnasol) to Rheoliadau Datgymhwyso rhag Gofalu am Blant (Cymru) 2004(2), insert—

“**24A.** Tynnwyd oddi ar y person yr holl gyfrifoldebau rhiant neu hawliau rhiant mewn perthynas â phlentyn, yn rhinwedd gorchymyn sefydlogrwydd a wnaed o dan adran 80 o Ddeddf Mabwysiadu a Phlant (Yr Alban) 2007.”.

Housing Benefit Regulations 2006 ([S.I. 2006/213](#))

**39.—**(1) The Housing Benefit Regulations 2006(3) are amended as follows.

(2) In regulation 2(1) (interpretation) in the definition of “young individual” in paragraph (e) after “Schedule 3 to that Act” insert “or has ceased to be a child in relation to whom a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007 has been made, or treated as being made”.

(3) In regulation 21 (circumstances in which a person is to be treated as being or not being a member of the household)—

(a) in paragraphs (3)(c) and (4)(c) for “the Adoption Agencies (Scotland) Regulations 1996” substitute “the Adoption Agencies (Scotland) Regulations 2009”;

(b) in paragraph (6) for “the Adoption (Scotland) Act 1978” substitute “the Adoption and Children (Scotland) Act 2007”.

(4) In paragraph 25 of Schedule 5 (sums to be disregarded in the calculation of income other than earnings) in sub-paragraph (1)(a) at the end insert “or in accordance with a scheme made under section 71 (adoption allowance schemes) of the Adoption and Children (Scotland) Act 2007”. Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 ([S.I. 2006/214](#))

(1) There are amendments to this instrument which are not relevant to this Order.

(2) Mae diwygiadau eraill i'r offeryn hwn nad ydynt yn berthnasol i'r Gorchymyn hwn.

(3) The relevant amending instruments are [S.I. 2007/2868](#), [2008/1042](#) and [2008/3157](#).

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**40.**—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(4) are amended as follows.

(2) In regulation 2(1) (interpretation) in the definition of “young individual” in paragraph (e) after “Schedule 3 to that Act” insert “or has ceased to be a child in relation to whom a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007 has been made, or treated as being made”.

(3) In regulation 13D (determination of a maximum rent (LHA)) in paragraph (12) in the definition of “care leaver” in sub-paragraph (d) after “Schedule 3 to that Act” insert “or has ceased to be a child in relation to whom a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007 has been made, or treated as being made,”.

(4) In regulation 21 (circumstances in which a person is to be treated as being or not being a member of the household)—

(a) in paragraphs (3)(c) and (4)(c) for “the Adoption Agencies (Scotland) Regulations 1996” substitute “the Adoption Agencies (Scotland) Regulations 2009”;

(b) in paragraph (6) for “the Adoption (Scotland) Act 1978” substitute “the Adoption and Children (Scotland) Act 2007”.

Council Tax Benefit Regulations 2006 (S.I. 2006/215)

**41.**—(1) The Council Tax Benefit Regulations 2006(5) are amended as follows.

(2) In regulation 11 (circumstances in which a person is to be treated as being or not being a member of the household)—

(a) in paragraphs (2)(c) and (3)(c) for “the Adoption Agencies (Scotland) Regulations 1996” substitute “the Adoption Agencies (Scotland) Regulations 2009”.

(b) in paragraph (5) for “the Adoption (Scotland) Act 1978” substitute “the Adoption and Children (Scotland) Act 2007”.

(3) In Schedule 4 (sums to be disregarded in the calculation of income other than earnings) in paragraph 26(1)(a) at the end insert “or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes)”. Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (S.I. 2006/216)

**42.** In regulation 11 (circumstances in which a person is to be treated as being or not being a member of the household) of the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(6)—

(a) in paragraphs (2)(c) and (3)(c) for “the Adoption Agencies (Scotland) Regulations 1996” substitute “the Adoption Agencies (Scotland) Regulations 2009”; and

(b) in paragraph (5) for “the Adoption (Scotland) Act 1978” substitute “the Adoption and Children (Scotland) Act 2007”.

Child Benefit (General) Regulations 2006 (S.I. 2006/223)

**43.** In regulation 16(5) (child or qualifying young persons in detention, care etc.) of the Child Benefit (General) Regulations(7) for paragraph (b) substitute—

“(b) the Adoption Agencies (Scotland) Regulations 2009, or”.

Housing Benefit Regulations (Northern Ireland) 2006 (S.R. 2006 No. 405)

(4) The relevant amending instrument is S.I. 2007/2869.

(5) The relevant amending instruments are S.I. 2008/3157 and S.S.I. 2010/2449.

(6) There are amendments to this instrument which are not relevant to this Order.

(7) There are amendments to this instrument which are not relevant to this Order.

**44.** In paragraph 26 of Schedule 6 (sums to be disregarded in the calculation of income other than earnings) to the Housing Benefit Regulations (Northern Ireland) 2006**(8)** in sub-paragraph (1) (c) at the end insert “or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes)”.  
Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 ([S.I. 2006/606](#))

**45.** In Part II of Schedule 6 (interpretation) to the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006**(9)** in item 18 and the definition of “adopted” for “section 38 of the Adoption (Scotland) Act 1978” substitute “section 39 of the Adoption and Children (Scotland) Act 2007”.  
[Employment and Support Allowance Regulations \(Northern Ireland\) 2008 \(S.R. 2008 No. 280\)](#)

**46.** In paragraph 25(1)(c) of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) to the Employment and Support Allowance Regulations (Northern Ireland) 2008 at the end insert “or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes)”.  
[Employment and Support Allowance Regulations 2008 \(S.I. 2008/794\)](#)

**47.**—(1) The Employment and Support Allowance Regulations 2008**(10)** are amended as follows.

(2) In regulation 2 (interpretation) in the definition of “relevant enactment” for “the Adoption (Scotland) Act 1978” substitute “the Adoption and Children (Scotland) Act 2007”.

(3) In regulation 156(5)(d) and (6)(g) (circumstances in which a person is to be treated as being or not being a member of the household) for “the Adoption Agencies (Scotland) Regulations 1996” substitute “the Adoption Agencies (Scotland) Regulations 2009”.

(4) In paragraph 26(1)(a) of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) at the end insert “or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes)”.  
[Childcare \(Disqualification\) Regulations 2009 \(S.I. 2009/1547\)](#)

**48.** In Schedule 1 (orders etc. relating to the care of children) to the Childcare (Disqualification) Regulations 2009 after paragraph 14 insert—

“**14A.** A permanence order made, or treated as being made, under section 80 of the Adoption and Children (Scotland) Act 2007.”.

[Child Minding and Day Care \(Disqualification\) \(Wales\) Regulations 2010 \(S.I. 2010/1703 \(W.163\)\)](#)

**49.** In Schedule 1 (orders etc. relating to the care of children) to the Child Minding and Day Care (Disqualification) (Wales) Regulations 2010**(11)** after paragraph 15 insert—

“**15A.** A permanence order made, or treated as being made, under section 80 of the Adoption and Children (Scotland) Act 2007.”.

[Rheoliadau Gwarchod Plant a Gofal Dydd \(Anghymhwysu\) \(Cymru\) 2010 \(O.S. 2010/1703 \(Cy.163\)\)](#)

**50.** In Schedule 1 (Atodlen 1 – gorchmynion etc. mewn perthynas â gofal plant) to Rheoliadau Gwarchod Plant a Gofal Dydd (Anghymhwysu) (Cymru) 2010 after paragraph 15 insert—

“**15A** Gorchymyn sefydlogrwydd a wnaed, neu a drinnir fel pe bai wedi ei wneud, o dan adran 80 o Ddeddf Mabwysiadu a Phlant (Yr Alban) 2007.”.

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(8) The relevant amending instrument is [S.R. 2006 No. 498](#).

(9) There are amendments to this instrument which are not relevant to this Order.

(10) The relevant amending instruments are [S.I. 2008/2428](#), [2008/3157](#), [2009/583](#), [2009/2655](#), [2010/641](#), [2010/671](#), [2010/840](#), [2010/1881](#) and [2010/1941](#).

(11) There have been amendments to this instrument which are not relevant to this Order.

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