
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend child benefit legislation by inserting an exception to the 3-month residence requirement for the purposes of entitlement to child benefit.

Regulation 1 provides for citation and commencement.

Regulation 2 amends regulations 23 and 27 of the Child Benefit (General) Regulations 2006 (S.I. 2006/223) (“the principal Regulations”). Regulation 23 of the principal Regulations sets out the circumstances in which a person is treated as not being in Great Britain for the purposes of entitlement to child benefit. In particular, paragraph (5) sets out a 3-month residence requirement, with paragraph (6) providing for exceptions to this requirement. Regulation 2(2) of these Regulations amends paragraph (6) of regulation 23 of the principal Regulations to include an exception to that requirement for any person who has been granted leave under the Afghanistan Relocations and Assistance Policy, the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme) or the Afghan Citizens Resettlement Scheme. It also amends paragraph (6) to include an exception for any person who has left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021. Regulation 27 of the principal Regulations makes identical provision in respect of Northern Ireland. Paragraph (4) sets out the 3-month residence requirement, with paragraph (5) providing for exceptions to this requirement. Regulation 2(3) of these Regulations amends paragraph (5) of regulation 27 of the principal Regulations to include identical exceptions in relation to Northern Ireland.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.