Draft Regulations laid before Parliament under section 28(5) of the Child Trust Funds Act 2004, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No. 0000

CHILD TRUST FUNDS

The Child Trust Funds (Amendment) Regulations 2009

Made - - - -	*2009*
Coming into force - -	*6th April 2009*

A draft of this instrument has been laid before Parliament in accordance with section 28(5) of the Child Trust Funds Act 2004(**1**) and approved by a resolution of each House of Parliament.

Accordingly, the Treasury make the following Regulations in exercise of the powers conferred by sections 10, 11, 15 and 28(1) to (4) of the Child Trust Funds Act 2004:

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Child Trust Funds (Amendment) Regulations 2009 and shall come into force on 6th April 2009.

(2) Regulations 3 and 4 have effect where the Child Benefit commencement date for the child (first day for which child benefit was paid in respect of the child) is on or after 6th April 2008.

Amendments to the Child Trust Funds Regulations 2004

2. The Child Trust Funds Regulations 2004(**2**) are amended as follows.

3. In regulation 2(1)(a) (interpretation) add the following expressions at the appropriate places—

""the income threshold" (see section 9(6) of the Act)"

""the relevant income" (see section 9(6) of the Act)"

""relevant social security benefit" (see section 9(6) of the Act)"

""tax year" (see section 9(6) of the Act)".

4. In regulation 7 (government contributions)(**3**)—

(a) after paragraph (10) insert—

(**1**) 2004 c. 6.
(**2**) S.I. 2004/1450; relevantly amended by S.I. 2004/3369, 2005/383 and 2006/199.
(**3**) Regulation 7 was amended by S.I. 2004/3369 and 2005/383.

"(10A) A further contribution under section 10 of the Act of £250 is due for any child if—

(a) an account is held by the child,

(b) the child was first an eligible child by virtue of section 2(1)(a) of the Act,

(c) section 9 of the Act does not apply to the child,

(d) a contribution is not, and has not been, due for the child under paragraph (10),

(e) the child is an eligible child on the day identified under the provisions of paragraph (10B) or (10C) as the case may be, and

(f) the condition in paragraph (10B) or (10C) is satisfied in relation to the child.

(10B) The condition in this paragraph is that it has been determined in accordance with the provision made by and by virtue of sections 18 to 21 of the Tax Credits Act 2002(**4**)—

(a) that a person was, or persons were, entitled to child tax credit in respect of the child for any day falling—

(i) after the commencement date, but

(ii) not later than three months immediately preceding the expiry date of the voucher for the child (see regulation 3), and

(b) that either the relevant income of the person or persons for the tax year in which that day fell does not exceed the income threshold or the person, or either of those persons, was entitled to a relevant social security benefit for that day,

and that determination has not been overturned.

(10C) The condition in this paragraph is that income support, or income-based jobseeker's allowance, was paid for any day falling—

(a) after the commencement date, but

(b) not later than one month immediately preceding the expiry date of the voucher for the child (see regulation 3),

to a person whose applicable amount included an amount in respect of the child.";

(b) in paragraph (11) after "contribution" insert "mentioned in paragraph (10) or (10A)".

5. After regulation 7 (government contributions) insert—

"**Age 7 payments**

7A.—(1) A further contribution under section 10 of the Act is due for any child who is an eligible child on his or her seventh birthday, in accordance with paragraphs (2) to (5).

(2) Where the child is an eligible child on his or her seventh birthday by virtue of—

(a) section 2(1)(b) of the Act (child benefit entitlement excluded by reason of being a child in care on that date), or

(b) section 2(1)(a) of the Act (child benefit entitlement), but is also a looked after child or looked after and accommodated child within the meanings of those expressions in regulation 33, on that date,

the amount is £500.

(**4**) 2002 c. 21.