STATUTORY RULES OF NORTHERN IRELAND

2003 No. 170

HEALTH AND PERSONAL SOCIAL SERVICES

Travelling Expenses and Remission of Charges (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*13th March 2003*
Coming into operation	*6th April 2003*
Except for regulation 5	*7th April 2003*

The Department of Health, Social Services and Public Safety(**1**), in exercise of the powers conferred on it by Articles 45, 98, 106 and 107(6) of, and paragraphs (1)(b) and 1B of Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**2**) and with the approval of the Department of Finance and Personnel in so far as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel in so far as they relate to travelling expenses, and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Travelling Expenses and Remission of Charges (Amendment) Regulations 2003.

(2) Subject to paragraph (3), these Regulations shall come into operation on 6th April 2003.

(3) Regulation 5 shall come into operation on 7th April 2003.

(4) In these Regulations –

"the principal Regulations" means the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 1989(**3**).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2 of the principal Regulations (interpretation) –

(**1**) *See* S.I.1999/283 (N.I. 1), Article 3(6)

(**2**) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are S.I. 1988/594 (N.I. 2) Article 14 and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5

(**3**) S.R. 1989 No. 348; relevant amending Regulations are S.R. 1995 No. 138, S.R. 1996 Nos. 107 and 425, S.R. 1997 No. 185, S.R. 1999 Nos. 166 and 395, S.R. 2000 Nos. 102 and 339, S.R. 2001 No. 104, S.R. 2002 No. 46, S.R. 2002 Nos. 46 and 172

(a) the definitions of "amount withdrawn", "disabled person's tax credit" and "working families' tax credit"(**4**) are omitted;

(b) after the definition of "capital limit"(**5**) there is inserted –

""child tax credit" means child tax credit under section 8 of the Tax Credits Act 2002(**6**) and as specified under regulations made pursuant to that section(**7**);";

(c) after the definition of "date of claim" there is inserted –

""disability element" means the disability element of working tax credit as specified in section 11(3) of the Tax Credits Act 2002 and as determined under regulations made pursuant to section 11(7) of that Act(**8**);";

(d) for the definition of "family"(**9**) there is substituted –

""family" has the meaning assigned to it by section 133(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**10**) as it applies to income support, except that –

(a) in regulation 4(2)(c) it has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**11**);

(b) in regulation 4(2)(j) and (l) it has the meaning assigned to it by article 2(2) of the Jobseekers (Northern Ireland) Order 1995(**12**); and

(c) where a claim has been made for support under Part VI of the Immigration and Asylum Act 1999(**13**), it means the asylum-seeker who has made that claim and any dependant, as defined in section 94 of that Act, whom he has included in that claim;";

(e) after the definition of "full rate" there is inserted –

""gross annual income" means income calculated for a tax year for the purposes of Part 1 of the Tax Credits Act 2002 pursuant to regulations made pursuant to section 7 of that Act(**14**);";

(f) after the definition "partner" there is inserted –

""qualifying family" means a family –

(a) that has a gross annual income of £14,200 or less; and

(b) one member of which is receiving either –

(i) both working tax credit and child tax credit, or

(ii) working tax credit which includes a disability element; or

(iii) child tax credit, but who is not eligible for working tax credit;" and

(g) for the definition of "week" there is substituted –

""week" means a period of 7 days beginning with midnight between Saturday and Sunday;

(**4**) These definitions were all inserted by S.R. 1999 No. 395
(**5**) The definition of "capital limit" was substituted by regulation 2 of S.R. 2001 No. 104
(**6**) 2002 c. 21
(**7**) The current regulations are the Child Tax Credit Regulations 2002 (S.I. 2002/2007)
(**8**) The current regulations are the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 (S.I. 2002/2005)
(**9**) The definition of "family" was substituted by regulation 2 of S.R. 1995 No. 138 and amended by regulation 2(c) of S.R. 1999 No. 395 and by regulation 2 of S.R. 2000 No. 102
(**10**) 1992 c. 7
(**11**) S.I. 2002/2006
(**12**) S.I. 1995/2705 (N.I. 15)
(**13**) 1999 c. 33
(**14**) The current regulations are the Tax Credit (Definition and Calculation of Income) Regulations 2002 (S.I. 2002/2006)