STATUTORY RULES OF NORTHERN IRELAND

2000 No. 361

SOCIAL SECURITY

The Child Benefit (General) (Amendment) Regulations (Northern Ireland) 2000

Made - - - - *22nd November 2000*

Coming into operation in accordance with regulation 1(1)

The Department for Social Development, in exercise of the powers conferred by sections 138(1)(*b*) and (4), 139(3)(*c*), 140(1) and 143(6) of, and paragraph 1(1) of Schedule 9 to, the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and now vested in it(**2**), 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 Child Benefit (General) (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation—

(a) for the purposes of regulation 2(7) and (8)(*b*)(ii), on 6th April 2001;

(b) for all other purposes, on 23rd November 2000.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Child Benefit (General) Regulations

2.—(1) The Child Benefit (General) Regulations (Northern Ireland) 1979(**4**) shall be amended in accordance with paragraphs (2) to (10).

(2) In regulation 1(2) (interpretation)—

(a) after the definition of "the 1998 Order"(**5**) there shall be inserted the following definition—

(**1**) 1992 c. 7; section 139(3)(*c*) was amended by section 63 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.)) and paragraph 1(1) of Schedule 9 was amended by paragraph 40 of Schedule 5 to, and Schedule 6 to, the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I.1998/1504 (N.I. 9))

(**2**) *See* Article 8(*b*) of S.R. 1999 No. 481

(**3**) 1954 c. 33 (N.I.)

(**4**) S.R. 1979 No. 5; relevant amending rules are S.R. 1979 No. 361, S.R. 1980 Nos. 261 and 427, S.R. 1987 No. 130, S.R. 1988 No. 273, S.R. 1989 No. 102, S.R. 1996 Nos. 289 and 470 and S.R. 1999 No. 310 (C. 23). *See* Article 4(*b*) of S.R. 1999 No. 481

(**5**) The definition of "the 1998 Order" was inserted by Article 7(2) of S.R. 1999 No. 310 (C. 23)

""the Benefits Act" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;";

(b) after the definition of "advanced education"(**6**) there shall be inserted the following definition—

""the Arrangements for Placement of Children Regulations" means the Arrangements for Placement of Children (General) Regulations (Northern Ireland) 1996(**7**);";

(c) in the definition of "youth training programme"(**8**) for ""youth training programme"" there shall be substituted ""relevant training scheme"" and that definition shall be inserted after the definition of "full-time education"(**9**).

(3) For regulation 3(**10**) (child in residential accommodation in prescribed circumstances) there shall be substituted the following regulation—

"**Child in residential accommodation in prescribed circumstances**

3. The prescribed circumstances for the purposes of section 139(3)(*c*) of the Benefits Act (absence of child disregarded if in residential accommodation pursuant to certain provisions) are any circumstances in which a child is in residential accommodation pursuant to arrangements made under—

(a) where the child has attained the age of 18, Article 15 or 36 of the Health and Personal Social Services (Northern Ireland) Order 1972(**11**); or

(b) the Children Order,

and such accommodation has been provided solely on account of that child's disability or because his health would be likely to be significantly impaired, or further impaired, unless such accommodation was provided.".

(4) In regulation 4(3)(**12**) (days of absence to be disregarded in determining whether a child is living with a person) for "Article 7" there shall be substituted "Article15 or 36".

(5) In regulation 6(2)(*a*)(**13**) (interruption of full-time education) for "the youth training programme" there shall be substituted "a relevant training scheme".

(6) For regulation 9(**14**) (child receiving training under the youth training programme) there shall be substituted the following regulation—

"**Child receiving training under a relevant training scheme**

9. Child benefit shall not be payable by virtue of section 138(1)(*b*) of the Benefits Act in respect of a child aged 16 or over for any week—

(a) in which training for that child is being provided under a relevant training scheme; and

(b) in respect of which an allowance may be paid under such a scheme to that child.".

(**6**) The definition of "advanced education" was substituted by regulation 2 of S.R. 1987 No. 130
(**7**) S.R. 1996 No. 453
(**8**) (**c**) The definition of "youth training programme" was inserted by regulation 2 of S.R. 1988 No. 273
(**9**) The definition of "full-time education" was substituted by regulation 2 of S.R. 1987 No. 130
(**10**) Regulation 3 was amended by regulation 2(3) of S.R. 1996 No. 470
(**11**) S.I. 1972/1265 (N.I. 14)
(**12**) Paragraph (3) was amended by regulation 4(3) of S.R. 1996 No. 470
(**13**) Paragraph (2) was substituted by regulation 2(*b*) of S.R. 1980 No. 261 and amended by regulation 3 of S.R. 1988 No. 273 and regulation 2 of S.R. 1989 No. 102
(**14**) Regulation 9 was substituted by regulation 5 of S.,R. 1988 No. 273