1987 No. 130

SOCIAL SECURITY

The Child Benefit (General) (Amendment) Regulations (Northern Ireland) 1987

Made	*24th March 1987*
Coming into operation . .	*6th April 1987*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 4(1B), (2) and (3) and 6(1) of the Child Benefit (Northern Ireland) Order 1975(**a**) 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) 1987 and shall come into operation on 6th April 1987.

(2) In these regulations "the principal regulations" means the Child Benefit (General) Regulations (Northern Ireland) 1979(**b**).

Amendment of regulation 1 of the principal regulations

2. In regulation 1(2) of the principal regulations (interpretation) for the definitions of "advanced education" and "full-time education" there shall be substituted the following definitions—

" "advanced education" means full-time education for the purposes of—

(*a*) a course in preparation for a degree, a diploma of higher education, a higher national diploma, a higher national diploma of the Business & Technician Education Council or the Scottish Vocational Education Council or a teaching qualification; or

(*b*) any other course which is of a standard above ordinary national diploma, a national diploma of the Business & Technician Education Council or a national certificate of the Scottish Vocational Education Council, a general certificate of education (advanced level), a Scottish certificate of education (higher grade) or a Scottish certificate of sixth year studies;"

" "full-time education" means—

(*a*) full-time education by attendance at a recognised educational establishment;

(**a**) S.I. 1975/1504 (N.I. 16); Article 4(1B) was inserted by Article 71(1)(*b*) of the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888) (N.I. 18)) and Article 4(3) was amended by Article 5(5) of the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8))

(**b**) S.R. 1979 No. 5; the relevant amending regulations are S.R. 1980 No. 261, S.R. 1982 No. 114, S.R. 1983 No. 4 and S.R. 1984 No. 244

(*b*) full-time education, elsewhere than at a recognised educational establishment, where the education is recognised by the Department under Article 4 of the Order; or

(*c*) education treated as full-time under regulation 5.''.

Substitution of regulation 5 of the principal regulations

3. For regulation 5 of the principal regulations (circumstances in which a person is to be treated as receiving full-time education) there shall be substituted the following regulation—

''*Circumstances in which education is to be treated as full-time education*

5.—(1) For the purposes of the Order the education which is specified in paragraph (2) shall be treated as full-time education.

(2) The education referred to in paragraph (1) is education received by a person attending a course of education at a recognised educational establishment and in the pursuit of that course, the time spent receiving instruction or tuition, undertaking supervised study, examination or practical work or taking part in any exercise, experiment or project for which provision is made in the curriculum of the course, exceeds 12 hours per week, so however that in calculating the time spent in pursuit of the course, no account shall be taken of time occupied by meal breaks or spent on unsupervised study, whether undertaken on or off the premises of the educational establishment.''.

Amendment of regulation 7 of the principal regulations

4.—(1) Regulation 7 of the principal regulations (circumstances in which a person who has ceased to receive full-time education is to continue to be treated as a child) shall be amended in accordance with paragraphs (2) to (6).

(2) In paragraph (1) of the said regulation 7—

(*a*) for ''paragraph 3'' there shall be substituted ''paragraphs (1A) and (3)''; and

(*b*) in sub-paragraph (*a*) ''and attains that age on or before the terminal date specified in paragraph (2)'' shall be omitted.

(3) After paragraph (1) of the said regulation 7 there shall be inserted the following paragraph—

''(1A) In the case of a person specified in either sub-paragraph (*a*) or (*b*) of paragraph (1) who had not attained compulsory school age when he ceased to receive full-time education, the terminal date in his case shall be that specified in sub-paragraph (*a*), or (*b*) or (*c*) of paragraph (2) whichever next follows the date on which he would have attained that age.''.

(4) After paragraph (2) of the said regulation 7 there shall be inserted the following paragraph—

''(2A) In this regulation ''compulsory school age'' means the upper limit of compulsory school age as determined in accordance with Article 46 of the Education and Libraries (Northern Ireland) Order 1986(**a**).''.

(a) S.I. 1986/594 (N.I. 3)