



Social Security Act 1975

1975 CHAPTER 14

PART II

BENEFIT AND ITS ADMINISTRATION

CHAPTER I

CONTRIBUTORY BENEFITS

Other benefits

31 Child's special allowance

Subject to the provisions of this Act (and in particular to those of section 43 imposing limitations on payment of benefit in respect of children), a woman whose marriage has been terminated by divorce shall be entitled to a child's special allowance at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 10, if—

- (a) the husband of that marriage is dead and satisfied the contribution condition for a child's special allowance specified in Schedule 3, Part I, paragraph 6; and
- (b) she has a family which includes a child and at that husband's death the child—
 - (i) was either a child of her family or, where the child is issue of theirs within the meaning of the Family Allowances Act, a child of that husband's family, or
 - (ii) would have been within sub-paragraph (i) above but for the fact that the child was not then in Great Britain; and
- (c) either—
 - (i) that husband had before his death been contributing at not less than the prescribed weekly rate to the cost of providing for that child, or
 - (ii) at the date of that husband's death she was entitled, under an order of a court, trust or agreement which she has taken reasonable steps to enforce, to receive (whether from that husband or from another

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person) payments in respect of that child at not less than that rate provided or procured by that husband:

Provided that the allowance shall not be payable for any period after the woman's remarriage or for any period during which she is cohabiting with a man as his wife.