

SCHEDULE 1

Article 3(2)

AMENDMENTS TO THE INCOME SUPPORT (GENERAL)
REGULATIONS (NORTHERN IRELAND) 1987

1. In regulation 4ZA(1) (prescribed categories of person) after paragraph (3) there shall be inserted the following paragraph –

“(3A) Paragraph (1) does not apply to a person to whom section 6 of the Children (Leaving Care) Act (Northern Ireland) 2002 (exclusion from benefits) applies.”.

2. In regulation 14 (persons of a prescribed description) for paragraph 2(2) there shall be substituted the following paragraph –

“(2) Paragraph (1) shall not apply to a person who is –

- (a) receiving advanced education within the meaning of regulation 12(2)(3) (relevant education);
 - (b) entitled to income support or would, but for section 130(2) (provision against dual entitlement of members of family) of the Contributions and Benefits Act, be so entitled; or
 - (c) a person to whom section 6 of the Children (Leaving Care) Act (Northern Ireland) 2002(4) (exclusion from benefits) applies.”.
- (a) (a) In each of the provisions specified in sub-paragraph (b) for “Article 18, 35 or 36” there shall be substituted “Article 18, 34C, 34D or 35A”(5);
- (b) The provisions specified for the purposes of sub-paragraph (a) (which relates to references to Articles 18, 35 or 36 of the Children Order(6)) are –
- (i) paragraph 28(7) of Schedule 9 (sums to be disregarded in the calculation of income other than earnings);
 - (ii) paragraph 17(8) of Schedule 10 (capital to be disregarded).

(1) Paragraph 4ZA was inserted by regulation 4 of S.R. 1996 No. 199 and amended by regulation 5(2) of S.R. 1997 No. 412; regulation 5(3) of S.R. 2000 No. 71 and the Schedule to, S.R. 2000 No. 241

(2) Paragraph (2) was amended by regulation 6 of S.R. 1990 No. 131

(3) Regulation 12 was substituted by regulation 5 of S.R. 1990 No. 131 and amended by regulation 4(4) of S.R. 1992 No. 403 and regulation 4(4) of S.R. 1993 No. 373

(4) 2002 (c. 11)

(5) Articles 34C and 34D were inserted into the Children (Northern Ireland) Order 1995 (S.I.1995/755 (N.I. 2)) by section 2(3) of the Children (Leaving Care) Act (Northern Ireland) 2002 and Article 35A was inserted by section 4 of that Act

(6) S.I. 1995/755 (N.I. 2)

(7) Paragraph 28 was amended by regulation 36(c) of S.R. 1988 No. 146, regulation 12 of S.R. 1989 No. 249 and regulation 2(8) (d) of S.R. 1998 No. 2

(8) Paragraph 17 was amended by regulation 37(d) of S.R. 1988 No. 146, regulation 12 of S.R. 1989 No. 249 and regulation 2(9) of S.R. 1998 No. 2