
STATUTORY INSTRUMENTS

2005 No. 3262

**The Healthy Start Scheme and Welfare
Food (Amendment) Regulations 2005**

Part V

Final provisions

Amendment of the 1996 Regulations - Healthy Start scheme

16. The 1996 Regulations are amended as follows:—

- (a) In regulation 3 (entitlement to free milk) in paragraph (1), after “paragraph (2)” there is inserted “other than a person who resides in an area specified in Schedule 1 to the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005,”;
- (b) in regulation 4(1) (child under the age of one year – entitlement to free dried milk or milk), after “Great Britain”, there is inserted “other than a child who resides in an area specified in Schedule 1 to the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005,”;
- (c) in regulation 5 (entitlement to free vitamins)—
 - (i) in paragraph (3A), after “expectant mother” there is inserted, “, other than a pregnant woman who resides in an area specified in Schedule 1 to the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005,”; and
 - (ii) in paragraph (3B), at the beginning, there is inserted, “Other than in the case of a pregnant woman who resides in an area specified in Schedule 1 to the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005,”;
- (d) in regulation 22 (application of enactments)—
 - (i) in paragraph (1), for “purpose”, there is substituted “purposes”, for “scheme” there is substituted “schemes”, and after “Regulations”, there is inserted “and the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005”;
 - (ii) in paragraph (2), after “regulation 14(4),” there is inserted—

“or the following provisions of the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005, namely—

 - regulation 7(2);
 - regulation 9(4);
 - regulation 11(2);
 - regulation 13(1);
 - regulation 13(3),”;
- (e) in Schedule 6 to the 1996 Regulations (enactments applied for the purposes of these Regulations)—

- (i) for the modifications in relation to section 111 of the Social Security Administration Act 1992 substitute “Omit subsection (1)(a) and (ab), in subsection (1)(b), for the words “under this Act” substitute the words “in accordance with the Welfare Food Regulations 1996 or the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005”, in subsection (2), for the words “subsection (1)(ab) or (b)” substitute the words “this section” and omit subsection (3)”;
- (ii) for the modifications in relation to section 112 of the Social Security Administration Act substitute “In subsection (1), for the words “benefit or other payment under the relevant social security legislation”, substitute the words “welfare food, Healthy Start food or payment under a scheme made for the purposes of section 13 of the Social Security Act 1988”, for the words “that legislation” substitute the words “such a scheme” and omit subsections (1A) to (1F)”.

Transitional provision

17. Any person described in regulation 3(3) who, at the date of coming into force of these Regulations, is entitled to and in receipt of milk in accordance with regulation 3(2)(a) or (b) (entitlement to free milk) or 4 (child under the age of one year – entitlement to free dried milk or milk) of the 1996 Regulations, shall be treated as a person entitled to Healthy Start food for the purposes of these Regulations.

Other amendments and revocations

- 18.—(1) In regulation 2(1) (interpretation) of the 1996 Regulations—
- (a) in the definition of “vitamins”, for “A, C and D”, there is substituted “appropriate for the beneficiary who receives them”; and
 - (b) the definition of “guarantee credit” is deleted.
- (2) In regulation 3(2)(b)(iii), at the end, “or” is deleted.
- (3) In regulation 9(1), “and any dried milk obtained by a person under regulation 7” is deleted.
- (4) In regulation 18(1), “and 7” is deleted.
- (5) Regulations 3(2)(a)(iii), (c), (3) and (4) (entitlement to free milk), 5(2)(a)(iii) and (b)(iii), and (4)(a)(iii), (entitlement to free vitamins), 6(1)(iii), (inability to obtain free vitamins), 7 (purchase of dried milk at a reduced price), and 8 (inability to purchase dried milk at a reduced price) of, and Schedule 2 to, the 1996 Regulations are revoked.