

Status: Point in time view as at 12/04/2004.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, SCHEDULE 9 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 9

Section 140(2).

EXCLUSIONS FROM ENTITLEMENT TO CHILD BENEFIT

Children in detention, care, etc.

- 1 (1) Except where regulations otherwise provide, no person shall be entitled to child benefit in respect of a child for any week if in that week the child—
- (a) is undergoing imprisonment or detention in a young offenders centre;
 - (b) is authorised under [^{F1}the Criminal Justice (Children) (Northern Ireland) Order 1998] to be detained in a [^{F2}juvenile justice centre, and is not out under supervision];
 - (c) is liable to be detained by virtue of [^{F3}Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998] and is not discharged on licence;
 - (d) is the subject of an order under that [^{F4}Order of 1998] committing him to custody in any place to which he may be committed on remand;
 - ^{F5}(e)
 - (f) is—
 - (i) in the care of the Department; or
 - (ii) the subject of a parental rights order under section 104 of that Act of 1968,in such circumstances as may be prescribed.
- (2) In sub-paragraph (1) above the reference to a child in the care of the Department includes a reference to a child in the care of a Health and Social Services Board.

Textual Amendments

- F1** Words in Sch. 9 para. 1(1)(b) substituted (31.1.1999) by S.I. 1998/1504 (N.I. 9), art. 65(1), **Sch. 5 para. 40(a)(i)**; S.R. 1999/25, **art. 2(c)**
- F2** Words in Sch. 9 para. 1(1)(b) substituted (31.1.1999) by S.I. 1998/1504 (N.I. 9), art. 65(1), **Sch. 5 para. 40(a)(ii)**; S.R. 1999/25, **art. 2(c)**
- F3** Words in Sch. 9 para. 1(1)(c) substituted (31.1.1999) by S.I. 1998/1504 (N.I. 9), art. 65(1), **Sch. 5 para. 40(b)**; S.R. 1999/25, **art. 2(c)**
- F4** Words in Sch. 9 para. 1(1)(d) substituted (31.1.1999) by S.I. 1998/1504 (N.I. 9), art. 65(1), **Sch. 5 para. 40(c)**; S.R. 1999/25, **art. 2(c)**
- F5** Sch. 9 para. 1(1)(e) repealed (31.1.1999) by S.I. 1998/1504 (N.I. 9), art. 65(2), **Sch. 6**; S.R. 1999/25, **art. 2(d)**

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Employed trainees, etc.

- 2 (1) No person shall be entitled to child benefit by virtue of section 138(1)(c) above in respect of a child if the education in question is received by that child by virtue of his employment or of any office held by him.
- (2) Regulations may specify the circumstances in which a child is or is not to be treated as receiving education as mentioned in sub-paragraph (1) above.

Married children

- 3 Except where regulations otherwise provide, no person shall be entitled to child benefit in respect of a child who is married.

Persons exempt from tax

F64

Textual Amendments
F6 Sch. 9 para. 4 repealed (26.2.2003 for specified purposes, 1.4.2003 for specified purposes, 7.4.2003 in so far as not already in force) by Tax Credits Act 2002 (c. 21), ss. 57(b), 61, Sch. 6; S.I. 2003/392, art. 2

Children entitled to severe disablement allowance

F75

Textual Amendments
F7 Sch. 9 para. 5 repealed (3.11.2000 for specified purposes and 6.4.2001 otherwise) by S.I. 1999/3147 (N.I. 11), art. 76, Sch. 10 Pt. IV; S.R. 2000/332, art. 2(3)(g)(4)(5) (subject to saving in art. 4 of that S.R.)

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