
 STATUTORY INSTRUMENTS

1977 No. 620

SOCIAL SECURITY

**The Social Security Benefit (Dependency) Amendment
Regulations 1977**

<i>Made - - - -</i>	<i>31st March 1977</i>
<i>Laid before Parliament</i>	<i>31st March 1977</i>
<i>Coming into Operation</i>	<i>4th April 1977</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 43(2)(b) and 65(2)(b) of the Social Security Act 1975(a), as amended by paragraphs 15(b) and 22(b) of Schedule 4 to the Child Benefit Act 1975(b) and section 22(3) of the Social Security (Miscellaneous Provisions) Act 1977(c), and of all other powers enabling him in that behalf, hereby makes the following regulations which, since they contain only provisions made in consequence of the last mentioned Act, are exempt, by virtue of section 24(4)(a) of that Act, from the requirements of sections 139(1) and 141(2) of the first mentioned Act (Secretary of State to seek the advice of the National Insurance Advisory Committee or the Industrial Injuries Advisory Council on certain proposals to make regulations under the first mentioned Act):—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security Benefit (Dependency) Amendment Regulations 1977, shall be read as one with the Social Security Benefit (Dependency) Regulations 1977(d) (hereinafter referred to as “the principal regulations”) and shall come into operation on 4th April 1977.

Amendment of regulation 5 of the principal regulations

2. In regulation 5 of the principal regulations (contributions towards the cost of providing for a child) after paragraph (4) there shall be added the following paragraph:—

“(5) Except in a case to which regulation 15 (preservation of entitlement to benefit in payment before 4th April 1977 for a child dependant) or regulation 13A of the Social Security Benefit (Persons Abroad) Regulations 1975(e), as amended (f) (modification of the Act in relation to title to benefit for beneficiary’s child dependants) applies, paragraph (b) of section 43(2) and paragraph (b) of section 65(2) of the Act (contributions mentioned in those paragraphs to be over and above those required for the purposes of

(a) 1975 c. 14. (b) 1975 c. 61. (c) 1977 c. 5.
 (d) S.I. 1977/343 (1977 I, p. 1057). (e) S.I. 1975/563 (1975 I, p. 2052).
 (f) The relevant amending instrument is S.I. 1977/342 (1977 I, p. 1033).

section 3(1)(b) of the Child Benefit Act) shall not apply in a case where neither the beneficiary nor his spouse (if he has a spouse and his spouse is residing with him) is in fact entitled to child benefit in respect of the child in question.”.

David Ennals,
Secretary of State for Social Services.

31st March 1977.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Social Security Benefit (Dependency) Regulations 1977 by providing that, subject to two specified exceptions, the requirement in sections 43(2)(b) and 65(2)(b) of the Social Security Act 1975 that a beneficiary is required to contribute towards the cost of providing for a child not living with him at a weekly rate “over and above” the weekly rate of the contribution the beneficiary is required to make under the Child Benefit Act 1975 shall not apply in a case where neither the beneficiary nor, if residing with the beneficiary, the spouse of the beneficiary, is in fact entitled to child benefit in respect of the child in question.

The Regulations, for the reasons stated in the preamble, are not required to be submitted to the National Insurance Advisory Committee or to the Industrial Injuries Advisory Council and have not been so submitted.

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