

STATUTORY INSTRUMENTS

1984 No. 939

SOCIAL SECURITY

The Child Benefit (General) Amendment (No. 2) Regulations 1984

<i>Made</i> - - - -	3rd July 1984
<i>Laid before Parliament</i>	6th July 1984
<i>Coming into Operation</i>	6th August 1984

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 22(1) and 24(1) of the Child Benefit Act 1975(a), and of all other powers enabling him in that behalf, after reference to the Social Security Advisory Committee(b), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Child Benefit (General) Amendment (No. 2) Regulations 1984 and shall come into operation on 6th August 1984.

Amendment of the Child Benefit (General) Regulations 1976

2. For regulation 5 of the Child Benefit (General) Regulations 1976(c) there shall be substituted the following regulation—

“Circumstances in which a person is to be treated as receiving full-time education

5. A person shall be treated for the purposes of the Act as receiving full-time education if—

(a) he is receiving—

- (i) primary or secondary education in England or Wales otherwise than at school, under special arrangements made under section 56 of the Education Act 1944(d); or
- (ii) education in Scotland elsewhere than at an educational establishment, under special arrangements made under section 14 of the Education (Scotland) Act 1962(e); or

(b) he is attending a course of education at a recognised educational establishment and in the pursuit of that course, the time spent

(a) 1975 c. 61.

(b) See sections 9 and 10 of the Social Security Act 1980 (c. 30).

(c) S.I. 1976/965, to which there are amendments not relevant to these Regulations.

(d) 1944 c. 31.

(e) 1962 c. 47.

receiving instruction or tuition, undertaking supervised study, examination or practical work or taking part in any exercise, experiment or project for which provision is made in the curriculum of the course, exceeds 12 hours per week, so however that in calculating the time spent in pursuit of the course, no account shall be taken of time occupied by meal breaks or spent on unsupervised study, whether undertaken on or off the premises of the educational establishment.”.

Signed by authority of the Secretary of State for Social Services.

3rd July 1984.

Rhodes Boyson,
Minister of State,
Department of Health and Social Security.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations further amend the Child Benefit (General) Regulations 1976. Regulation 2 substitutes a new regulation 5 in place of regulation 5 of the 1976 Regulations. The new regulation 5 re-enacts the provisions of the former regulation 5; and, in addition provides that a person who attends at a course of education specified in regulation 5(b) which exceeds 12 hours per week, shall be treated as a person receiving full-time education for the purposes of the Child Benefit Act 1975.

The Report of the Social Security Advisory Committee dated 15th June 1984 relevant to these regulations is contained in Command Paper No. (Cmnd. 9296) published by Her Majesty's Stationery Office.

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