
STATUTORY INSTRUMENTS

1987 No. 357

The Child Benefit (General) Amendment Regulations 1987

Amendment of regulation 7 of the principal regulations

5.—(1) In regulation 7 of the principal regulations (circumstances in which a person who has ceased to receive full-time education is to continue to be treated as a child)—

- (a) in paragraph (1) for the words“paragraph 3” there shall be substituted the words“paragraphs (1A) and (3)”; and
- (b) in sub-paragraph (a) of paragraph (1) the words“and attains that age on or before the terminal date specified in the next paragraph” shall be omitted.

(2) After paragraph (1) of regulation 7 of the principal regulations there shall be inserted the following paragraph—

“(1A) In the case of a person specified in either sub-paragraph (a) or (b) of paragraph (1) who had not attained compulsory school age when he ceased to receive full-time education, the terminal date in his case shall be that specified in sub-paragraph (a), or (b) or (c) of paragraph (2) whichever next follows the date on which he would have attained that age.”.

(3) After paragraph (2) of regulation 7 of the principal regulations there shall be inserted the following paragraph—

“(2A) In this regulation“compulsory school age” means—

- (a) in England and Wales, the upper limit of compulsory school age as determined in accordance with section 9 of the Education Act 1962⁽¹⁾;
- (b) in Scotland, the upper limit of school age as determined in accordance with sections 31 and 33 of the Education (Scotland) Act 1980⁽²⁾.”

(4) After paragraph (3) of regulation 7 of the principal regulations there shall be added the following three paragraphs—

“(4) Subject to paragraphs (3) and (6), a person whose name was entered as a candidate for any external examination in connection with full-time education not being advanced education, which he was receiving at that time, shall so long as his name continued to be so entered before ceasing to receive such education continue to be treated as a child for any week in the period specified in paragraph (5).

(5) Subject to paragraph (6), the period specified for the purposes of paragraph (4) is the period beginning with the date when that person ceased to receive such education ending with—

- (a) whichever of the dates in sub-paragraphs (a), (b) and (c) of paragraph (2) first occurs after the conclusion of the examination (or the last of them, if there are more than one), or
- (b) the expiry of the week which includes the last Monday before his 19th birthday, whichever is the earlier.

(1) 1962 c. 12 as amended by the Education (School-leaving Dates) Act 1976 (c. 5).

(2) 1980 c. 44.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) The period specified in paragraph (5) shall in the case of a person who has not attained the age of 16 when he so ceased, begin with the date on which he attained that age.”.