

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under various provisions of the Social Security Act 1975 and the Social Security Act 1988, are consequential upon provisions contained in both the Social Security Act 1986 and the Social Security Act 1988. Those provisions have not yet been in force for 12 months. The Regulations are therefore exempted by section 61(5) of the Social Security Act 1986 from reference to the Social Security Advisory Committee and have not been so referred.

Regulation 2 deems benefit under the Social Security Act 1975, abated for the purposes of income support, to be treated as a contribution for the maintenance of a child or adult dependant. This provision re-enacts the provisions of the former regulation 4 with the substitution for references to supplementary benefit of references to income support.

The Regulations further provide that—

- (a) a person to whom child benefit is not payable in respect of a child is to be treated as not entitled to child benefit (regulation 3);
- (b) entitlement to an increase in benefit in respect of a person having the care of a child does not arise where the person has weekly earnings which exceed the amount of the increase (regulation 4);
- (c) that an adult dependency increase is not payable with invalid care allowance where the dependant has weekly earnings which exceed the amount of the increase (regulation 5).