
STATUTORY INSTRUMENTS

2005 No. 3262

**The Healthy Start Scheme and Welfare
Food (Amendment) Regulations 2005**

PART I

Preliminary

Citation and commencement

1. These Regulations may be cited as the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005 and shall come into force on the day after the day on which they are made.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“beneficiary” means a person entitled to benefit pursuant to regulations 3 and 4;

“child” means a person under the age of 16;

“estimated date of delivery” means the date evidenced in writing and signed by a health professional pursuant to paragraph 2 of Schedule 2;

“family” has the meaning given by section 137(1) of the Social Security Contributions and Benefits Act 1992 for the purposes of Part VII of the Act (income-related benefits);

“food outlet” means a person registered in accordance with regulation 12 to supply Healthy Start food;

“health professional” means a registered medical practitioner, registered nurse or registered midwife, as the case may be⁽¹⁾;

“Healthy Start food” means the food prescribed at regulation 5;

“Healthy Start scheme” means the scheme established by these Regulations;

“income-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995⁽²⁾;

“income support” means income support under Part VII of the Social Security Contributions and Benefits Act 1992;

“parental responsibility” in England and Wales has the same meaning as in section 3(1) of the Children Act 1989⁽³⁾, and in Scotland has the same meaning as in section 1(1) of the Children (Scotland) Act 1995⁽⁴⁾;

(1) “Registered” in relation to nurses and midwives is defined in Schedule 1 to the Interpretation Act 1978 (c. 30), and has been amended by the Nursing and Midwifery Order 2001, S.I. 2002/253, Schedule 5 (consequential amendments to primary legislation), paragraph 7, and further amended by the Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004, S.I. 2004/1771.

(2) 1995 c. 18.

(3) 1989 c. 41.

(4) 1995 c. 36.

Status: This is the original version (as it was originally made).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

“period of validity” in relation to a voucher means the period indicated on it in accordance with regulation 8 as that during which it may be exchanged for Healthy Start food in accordance with these Regulations;

“relevant income” has the same meaning as in section 7(3) of Part 1 of the Tax Credits Act 2002⁽⁵⁾;

“the 1996 Regulations” means the Welfare Food Regulations 1996⁽⁶⁾;

“voucher” is to be construed in accordance with regulation 8.

(2) Where any provision of these Regulations requires or enables anything to be done by or in respect of a beneficiary and that beneficiary is a child, the provision shall, unless the context otherwise requires, be deemed to refer to a parent with parental responsibility for the child or the child’s guardian or the person having care of her.

(3) A reference to the Secretary of State in regulations 3 to 10, 12, 14 and 15, but not regulation 15(2), shall include a reference to a person authorised by her for the purposes of the Regulations or that regulation.

⁽⁵⁾ 2002 c. 21.

⁽⁶⁾ S.I. 1996/1434, as amended by the Welfare Food (Amendment) Regulations 2005, S.I. 2005/688. Previous amending instruments were revoked by regulation 3 of S.I. 2005/688, and earlier amending instruments.