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STATUTORY INSTRUMENTS

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**2010 No. 2430**

**The Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) (Amendment) Regulations 2010**

**Migration Regulations: amendment of regulation 19**

**10.**—(1) Regulation 19 of the Migration Regulations (reducing the transitional addition: increases for dependent children) is amended as follows.

(2) For paragraph (1)(a) substitute—

“(a) on the day before the effective date of T’s conversion decision, was entitled in connection with an existing award of incapacity benefit or severe disablement allowance to an increase under—

(i) in the case of incapacity benefit, section 80 of the Contributions and Benefits Act (beneficiary’s dependent children), or

(ii) in the case of severe disablement allowance, section 90 of that Act (beneficiaries under sections 68 and 70),

as those sections have effect by virtue of article 3 of the Tax Credits (Commencement No. 3 and Transitional Provisions and Savings) Order 2003(1); and”.

(3) For paragraph (3) substitute—

“(3) The amount of the transitional addition shall be reduced (but not below nil) by a sum equal to the amount of the increase referred to in paragraph (1)(a) payable to T on the day before the effective date, in respect of the child or qualifying young person in relation to whom child benefit terminated.”.