
STATUTORY INSTRUMENTS

2017 No. 376

The Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017

Restrictions on amounts for children and young persons – consequential changes to the Income Support (General) Regulations 1987

5.—(1) Subject to paragraph (2) where, in relation to an award of income support, an amount in respect of one or more children or young persons is included in the applicable amount⁽¹⁾ because regulation 2 of, and Schedule 1 to, the Social Security (Working Tax Credit and Child Tax Credit) (Consequential Amendments) Regulations 2003⁽²⁾ do not have effect, no amount is to be included in respect of a child or young person who is born after 6th April 2017 if—

- (a) when that child or young person is born or (if later) becomes a member of the claimant's family, there are two or more children or young persons in respect of whom an amount is already included in the claimant's applicable amount; and
- (b) two or more of those children or young persons remain members of the claimant's family.

(2) Paragraph (1) does not prevent an amount being included in respect of a child or young person in respect of whom [^{F1}an exception in Schedule 12 of the Universal Credit Regulations 2013 would apply][^{F1}the child element specified in regulation 24(1) of the Universal Credit Regulations 2013 would be payable] if the claimant were entitled to an award of universal credit.

(3) Where an amount may not be included in the applicable amount in respect of a child or young person by virtue of paragraph (1), any child benefit in respect of that child or young person is to be disregarded in the calculation of the claimant's gross income for the purposes of regulation 40 of the Income Support (General) Regulations 1987⁽³⁾.

(4) In this regulation—

- (a) “claimant” has the meaning prescribed in regulation 2(1) of the Income Support (General) Regulations 1987;
- (b) “young person” has the meaning prescribed in regulation 14(4) of the Income Support (General) Regulations 1987.

Textual Amendments

F1 Words in reg. 5(2) substituted (28.11.2018) by [The Universal Credit and Jobseekers Allowance \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1129\)](#), regs. 1(2), **5(a)**

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- (1) Where it remains in force, regulation 17(1)(b) of the Income Support (General) Regulations 1987 ([S.I. 1987/1967](#)) provides for a claimant's weekly applicable amount to include an amount in respect of any child or young person who is a member of his family, subject to certain capital restrictions.
 - (2) [S.I. 2003/455](#). Regulation 1 of those Regulations sets out the circumstances in which regulation 2 and Schedule 1 shall have effect.
 - (3) [S.I. 1987/1967](#).
 - (4) Relevant amending instruments are [S.I. 2001/3070](#), [2002/2402](#), [2006/718](#), [2008/1554](#) and [2013/630](#).

Changes to legislation: *There are currently no known outstanding effects for the The Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017, Section 5. (See end of Document for details)*

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017, Section 5.