
STATUTORY INSTRUMENTS

2020 No. 267

**FOOD, ENGLAND AND WALES
CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND
NATIONAL HEALTH SERVICE, ENGLAND**

**The Healthy Start Scheme and Welfare Food
(Miscellaneous Amendments) Regulations 2020**

Made - - - - 10th March 2020

Laid before Parliament 12th March 2020

Coming into force in accordance with regulation 1(2)

The Secretary of State for Health and Social Care makes these Regulations in exercise of the powers conferred by section 13(1), (3), (4)(a), (b), (c), (d), (e), (g) and (h), (9) and (11) of the Social Security Act 1988(1), section 175(3), (4) and (5) of the Social Security Contributions and Benefits Act 1992(2) and section 71 of the Scotland Act 2016(3).

In accordance with section 13(2) of the Social Security Act 1988(4), the Secretary of State has consulted the Welsh Ministers(5).

-
- (1) 1988 c.7. Section 13 was substituted by section 185(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c.43), subject to savings made by S.I. 2005/2279. Following the commencement of section 27 of the Scotland Act 2016 (c.11) by S.I. 2018/1364, Scottish Ministers have legislative competence in respect of the subject-matter of section 13 in relation to Scotland. Section 13(11) is an interpretation provision and is cited for the meaning of “prescribed” and “regulations”.
- (2) 1992 c.4. Section 175(4) was amended by paragraph 29(4) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2). Section 175(3), (4) and (5) are applied by section 15A(1) of the Social Security Act 1988 (c.7) which itself was inserted by paragraph 8(10) of Schedule 6 to the Social Security Act 1990 (c.27) and amended by paragraph 96 of Schedule 2 to the Social Security (Consequential Provisions) Act 1992 (c.6) and section 185(2) of the Health and Social Care (Community Health and Standards) Act 2003. The ancillary powers in section 175(3), (4) and (5) have also transferred to Scottish Ministers, insofar as is necessary to exercise functions under section 13 of the Social Security Act 1988 following the commencement of section 27 of the Scotland Act 2016.
- (3) 2016 c.11.
- (4) Section 13(2) was amended by section 27(5) of the Scotland Act 2016 (subject to transitional provisions specified in section 70 of that Act).
- (5) Functions conferred or imposed on the National Assembly for Wales immediately before the first appointment of a First Minister under section 46 of the Government of Wales Act 2006 (c.32) by an enactment contained in an Act were transferred to the Welsh Ministers by paragraph 30(2)(c) of Schedule 11 to that Act.