1978 No. 251

SOCIAL SECURITY

The Child Benefit (General) (Amendment) Regulations (Northern Ireland) 1978

Made . . . . . 30*th August* 1978

Coming into operation . . . . . 31*st August* 1978

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 6(1) of, and paragraph 2(2) of Schedule 1 to, the Child Benefit (Northern Ireland) Order 1975(**a**), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, interpretation and commencement

1. These regulations, which may be cited as the Child Benefit (General) (Amendment) Regulations (Northern Ireland) 1978 shall be read as one with the Child Benefit (General) Regulations (Northern Ireland) 1976(**b**), as amended(**c**), (hereinafter referred to as "the principal regulations") and shall come into operation on 31st August 1978.

Amendment of the principal regulations

2.—(1) In regulation 6 of the principal regulations (interruption of full-time education) there shall be substituted for "Subject to paragraph (2)", at the beginning of paragraph (1), the words "Subject to paragraphs (2) and (3)" and the following paragraph shall be added after paragraph (2)—

"(3) The provisions of paragraph (1) shall not apply to any period of interruption of full-time education which is likely to be followed, or which is followed, immediately by a period during which provision is made for financial support to which regulation 6C applies.".

(2) In regulation 7 of the principal regulations (employed trainees) there shall be inserted after paragraph (1) the following paragraph—

"(1A) Subject to the provisions of paragraph (1), a child who is receiving education in any week shall be treated as receiving such education by virtue of his employment or of any office held by him if, in consideration of that education, that child receives financial support in respect of that week by virtue of his employment or any office held by him.",

and in paragraph (2) there shall be substituted for the words "For the purposes of paragraph (1)" the words "For the purposes of this regulation".

New regulation to be inserted in principal regulations

3. There shall be inserted in the principal regulations, after regulation 6B thereof, the following regulation—

(a) S.I. 1975/1504 (N.I. 16)
(b) S.R. 1976 No. 226 (I, p. 1049)
(c) The relevant amending regulations are S.R. 1976 No. 329 (II, p. 1661) and S.R. 1977 No. 85 (I, p. 299)

"*Child receiving financial support under the Disabled Persons (Employment) Act (Northern Ireland) 1945, the Employment and Training Act (Northern Ireland) 1950 or the Industrial Training Act (Northern Ireland) 1964*

6C. Benefit shall not be payable in respect of a child over the age of 16 for any week beginning after 31st August 1978 in which financial support for that child is being provided by way of payments made under section 4 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(**d**), section 3 of the Employment and Training Act (Northern Ireland) 1950(**e**) or section 2 of the Industrial Training Act (Northern Ireland) 1964(**f**).".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 30th August 1978.

(L.S.) *T. M. Lyness*
Assistant Secretary

EXPLANATORY NOTE

(*This note is not part of the regulations but is intended to indicate their general purport.*)

These regulations amend the Child Benefit (General) Regulations (Northern Ireland) 1976 ("the 1976 regulations"). They provide that child benefit under the Child Benefit (Northern Ireland) Order 1975 shall not be payable in respect of a child for any week beginning after 31st August 1978 while that child is receiving financial support by virtue of payments made under section 4 of the Disabled Persons (Employment) Act (Northern Ireland) 1945, section 3 of the Employment and Training Act (Northern Ireland) 1950 or section 2 of the Industrial Training Act (Northern Ireland) 1964. They further provide that child benefit shall not be payable during a period of interruption of full-time education immediately prior to receiving such financial support. The regulations also amend the 1976 regulations to secure that a child is to be treated as receiving education by virtue of his employment where he is receiving financial support from his employment in consideration of such education.

(**d**) 1945 c. 6 (N.I.)
(**e**) 1950 c. 29 (N.I.)
(**f**) 1964 c. 18 (N.I.)