EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend regulation 2 of the Family Allowances (Making of Claims and Payments) Regulations, 1946, to enable a claim to allowance to be made in writing otherwise than on a form, to provide for the date of posting of a claim to be treated as the date on which the claim was made and to vary the procedure for the supply of claim forms. They revoke regulations 4 and 6 of those regulations, which are inappropriate in consequence of the transfer, pursuant to section 1 of the Family Allowances and National Insurance Act, 1959, of the functions of determining questions arising under the Family Allowances Act, 1945, from the Minister of Pensions and National Insurance to insurance officers or local tribunals with appeal to the Commissioner appointed under the National Insurance Act, 1946. Regulation 5 of those regulations, which provides for awards to be made before the coming into force of section 1 of the Family Allowances Act, 1945, is revoked as no longer having effect.

1959 No. 1169

The Family Allowances (Qualifications) Amendment Regulations, 1959

Made - - - -	3*rd July*, 1959
Laid before Parliament	8*th July*, 1959
Coming into Operation	13*th July*, 1959

The Minister of Pensions and National Insurance, in conjunction with the Treasury so far as relates to matters with respect to which the Treasury has so directed, in exercise of the powers conferred on him by sections 21 (7) and 24 (4) of the Family Allowances Act, 1945(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations —

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Allowances (Qualifications) Amendment Regulations, 1959, shall be read as one with the Family Allowances (Qualifications) Regulations, 1946(**b**), as amended(**c**) (hereinafter referred to as "the principal regulations") and shall come into operation on the 13th July, 1959.

Amendment of regulation 15 of the principal regulations

2. The following regulation shall be substituted for regulation 15 of the principal regulations:—

"*Further provisions relating to absence and to interruption or reduction of contributions*

15. Notwithstanding anything contained in regulations 13 and 14, no absence (other than at a school) of a child from any person, and no interruption or reduction of the contribution made by any person to the

(a) 8 & 9 Geo. 6. c. 41.
(b) S.R. & O. 1946/138 (Rev. VII, p. 607: 1946 I, p. 502).
(c) S.I. 1952/1457, 1999, 1953/1059 (1952 I, pp. 996, 1001; 1953 I, p. 746).

cost of providing for a child, shall be treated as temporary for the purposes of subsection (7) of section 21 of the Act in the following circumstances:—

(1) if there is in force an order under the Children and Young Persons Act, 1933, or the Children and Young Persons (Scotland) Act, 1937, committing the child to the care of a fit person:

Provided that this shall not apply to any absence from, or to any interruption or reduction of the contribution made by, such fit person; or

(2) if the absence, interruption or reduction is or is intended to be other than temporary.".

Amendment of the Schedule to the principal regulations

3.—(1) For the words "Meaning of 'a member of the Forces' and 'a merchant seaman'" in the heading of the Schedule to the principal regulations there shall be substituted the words "Meaning of certain expressions contained in these regulations".

(2) The following paragraph shall be substituted for paragraph 4 of the said Schedule:—

"4. For the purposes of these regulations the expression 'a person under treatment' applies, in respect of such period as the Minister may allow having regard to the circumstances of the particular case, to a person whose absence from Great Britain is temporary and for the specific purpose of being treated for incapacity which commenced before he left Great Britain.".

Dated this Second day of July, 1959.

John Boyd-Carpenter,
Minister of Pensions and National Insurance.

Dated this Third day of July, 1959.

Martin Redmayne,
Graeme Finlay,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations amend regulation 15 of, and paragraph 4 of the Schedule to, the Family Allowances (Qualifications) Regulations, 1946, in so far as their provisions are inappropriate in consequence of the transfer, pursuant to section 1 of the Family Allowances and National Insurance Act, 1959, of the functions of determining questions arising under the Family Allowances Act, 1945, from the Minister of Pensions and National Insurance to insurance officers or local tribunals with appeal to the Commissioner appointed under the National Insurance Act, 1946. Regulation 3 of these Regulations also makes a drafting amendment to the heading of the said Schedule.