STATUTORY INSTRUMENTS

1976 No. 651

SOCIAL SECURITY

The Family Allowances (School-leaving Dates) (Consequential) Regulations 1976

Made - - - -	28*th April* 1976
Laid before Parliament	6*th May* 1976
Coming into Operation	28*th May* 1976

The Secretary of State for Social Services(**a**), in exercise of powers conferred by section 13 of the Family Allowances Act 1965(**b**) as extended by section 2(1) of the Education (School-leaving Dates) Act 1976(**c**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1.—(1) These regulations may be cited as the Family Allowances (School-leaving Dates) (Consequential) Regulations 1976 and shall come into operation on 28th May 1976.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the Family Allowances Act 1965;

"the Qualifications Regulations" means the Family Allowances (Qualifications) Regulations 1969(**d**), as amended(**e**),

and other expressions have the same meanings as in the Act.

(3) Unless the context otherwise requires, any reference in these regulations to any provision made by or contained in any enactment or instrument shall be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which may re-enact or replace it with or without modification.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(**f**) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Circumstances in which a person is to be treated for the purposes of the Act as under the upper limit of compulsory school age

2.—(1) Subject to paragraph (2) of this regulation, a person who falls to be regarded as having attained the upper limit of compulsory school age on or after the date on which these regulations come into operation and before attaining the age of 16 shall be treated for the purposes of the Act as being under that limit until immediately before the date on which he attains the age of 16.

(**a**) For the transfer of functions from the Minister of Pensions and National Insurance to (eventually) the Secretary of State, see Ministry of Social Security Act 1966 (c. 20) and S.I. 1968/1699 (1968 III, p. 4585).

(**b**) 1965 c. 53. (**c**) 1976 c. 5. (**d**) S.I. 1969/212 (1969 I, p. 543).

(**e**) The amending regulations are not relevant to the subject matter of these regulations.

(**f**) 1889 c. 63.

(2) Where under the provisions of section 9 of the Education Act 1962**(a)** as amended by section 1 of the Education (School-leaving Dates) Act 1976 a person falls to be regarded as having attained the upper limit of compulsory school age on 28th May 1976 and is a person who attains the age of 16 before 16th July 1976, he shall be treated for the purposes of the Act as being under that limit until immediately before 17th July 1976.

Amendment of regulation 15 of the Qualifications Regulations

3. In regulation 15 of the Qualifications Regulations (circumstances in which a person is to be treated as undergoing full-time instruction) for the references to 4 weeks in heads (i) and (ii) of the proviso to paragraph (2)(*g*) of that regulation there shall be substituted references to 10 weeks.

David Ennals,
Secretary of State for Social Services.

28th April 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made under powers conferred by section 13 of the Family Allowances Act 1965 ("the 1965 Act") as extended by section 2(1) of the Education (School-leaving Dates) Act 1976, specify the circumstances in which a young person who has attained the upper limit of compulsory school age under legislation relating to education is to be treated for the purposes of the 1965 Act as being under that limit until a later date and thereby as eligible to count as a child of a person's family under section 2(1)(*a*) of the 1965 Act until that later date (regulation 2). The Regulations (regulation 3) also amend regulation 15 of the Family Allowances (Qualifications) Regulations 1969 (circumstances in which a person is to be treated as undergoing full-time instruction) by extending from 4 weeks to 10 weeks the admissible period of absence from school (in addition to recognised holidays) during which title to family allowances may be preserved when a young person moves from one school to another.

(a) 1962 c. 12.

SI 1976/651
ISBN 0-11-060651-5

