STATUTORY INSTRUMENTS

2010 No. 434

FOOD

The Healthy Start Scheme and Welfare Food (Amendment) Regulations 2010

Made - - - -	*23rd February 2010*
Laid before Parliament	*1st March 2010*
Coming into force - -	*6th April 2010*

The Secretary of State for Health makes the following Regulations, in exercise of the powers conferred by section 13 of the Social Security Act 1988(**a**) as substituted by the Health and Social Care (Community Health and Standards) Act 2003(**b**), and section 175(2) to (5) of the Social Security Contributions and Benefits Act 1992(**c**).

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2010 and shall come into force on the 6th April 2010.

(2) In these Regulations "the principal Regulations" means the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005(**d**).

Amendment of the principal Regulations

2. In the following provisions of the principal Regulations, for the sum of "£16,040" substitute "£16,190"—

(a) regulation 3(3)(a)(iii), (d)(iii) and (e)(ii)(aa) (entitlement of benefit); and

(b) paragraph 4(1)(a)(iii) of Schedule 2 (declaration needed for application for benefit).

(**a**) 1988 c. 7. Section 13 was amended by section 21(1) and (2) of, and Schedule 6, paragraph 8(11)(a) and Schedule 7 to, the Social Security Act 1990 (c. 27), and section 4 of, and Schedule 2, paragraph 94 to, the Social Security (Consequential Provisions) Act 1992 (c. 6). Section 185(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c.43) substituted new provisions for the existing provisions of section 13. However, old section 13 was saved for limited purposes notwithstanding the commencement of section 185. See the Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 7) Order 2005, 2005/2278 ("the Order") and the Health and Social Care (Community Health and Standards) Act 2003 (Savings) Order 2005, 2005/2279.

(**b**) 2003 c. 43.

(**c**) 1992 c. 4. Section 175(2) to (5) applied by section 15A of the Social Security Act 1988 (c. 7) which section was inserted by section 21(1) of, and Schedule 6, paragraph 8(10) to, the Social Security Act 1990 (c. 27) and amended by section 4 of, and Schedule 2, paragraph 96 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 (c. 43) (see the Order).

(**d**) S.I. 2005/3262, as amended by S.I. 2006/589 and 2818, 2007/505, 2008/408 and 2009/295.

Signed by authority of the Secretary of State for Health

Gillian Merron
Minister of State,
Department of Health

23 February 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005(**a**) ("the principal Regulations").

Regulation 2 amends regulation 3 of, and Schedule 2 to the principal Regulations. Regulation 2(a) increases the upper income level which determines whether a person receiving child tax credit but not working tax credit (unless that person is treated as not entitled to working tax credit by virtue of regulation 3(7) of the principal Regulations) is entitled to benefit under the principal Regulations. Regulation 2(b) amends Schedule 2 to the principal Regulations to mirror the increase to the upper income level in regulation 3 of the principal Regulations.

A full impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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(**a**) S.I. 2005/3262, as amended by S.I. 2006/589 and 2818, 2007/505, 2008/408 and 2009/295.

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