

---

STATUTORY RULES OF NORTHERN IRELAND

---

**1998 No. 239**

**The Child Benefit and Social Security (Fixing and Adjustment of Rates) (Amendment) Regulations (Northern Ireland) 1998**

**Transitional provisions and savings**

**4.—(1) Where—**

- (a) on 5th July 1998, a lone parent is in receipt of the higher rate of child benefit;
- (b) on or before 5th July 1998, a lone parent has made a claim for child benefit or has applied for a review of an award to secure that the higher rate of child benefit is paid in his case and that higher rate is payable for the week which includes 5th July 1998;
- (c) on or after 6th July 1998, a lone parent claims child benefit and—
  - (i) satisfies the entitlement conditions for the higher rate of child benefit;
  - (ii) the claim is made within 3 months of entitlement to the higher rate of child benefit first arising on that claim, and
  - (iii) that rate of child benefit is payable for the week which includes 5th July 1998; or
- (d) child benefit is already in payment to a lone parent on 5th July 1998 but at the rate specified in regulation 2(1)(a)(i) of the principal Regulations and on or after 6th July 1998—
  - (i) that parent applies for a review of that award and satisfies the entitlement conditions in regulation 2 of the principal Regulations for the higher rate of child benefit;
  - (ii) the application is received within one month of entitlement to the higher rate of child benefit first arising, and
  - (iii) that rate of child benefit is payable for the week which includes 5th July 1998, regulation 2 of the principal Regulations shall continue to have effect in his case as though regulation 2 of these Regulations had not been made, but only for so long as the lone parent continuously satisfies the conditions for entitlement to the higher rate of child benefit and the higher rate continues to exceed the rate for the time being specified in regulation 2(1)(a)(i) of the principal Regulations.

(2) Subject to paragraph (3), paragraph (4) applies to a lone parent who is in receipt of income support or an income-based jobseeker's allowance ("the relevant benefit") and his applicable amount includes—

- (a) a family premium under either—
  - (i) paragraph 3(1)(a)(1) of Schedule 2 to the 1987 Regulations, or
  - (ii) paragraph 4(1)(a)(2) of Schedule 1 to the 1996 Regulations;
- (b) a pensioner premium under either—
  - (i) paragraph 9(3), 9A or 10(4) of Schedule 2 to the 1987 Regulations, or

---

(1) Paragraph 3 was amended by regulation 18 of [S.R. 1998 No. 318](#), regulation 5(4) of [S.R. 1996 No. 288](#) and regulation 8 of [S.R. 1998 No. 112](#)

(2) Paragraph 4 was amended by regulation 9(4)(a) of [S.R. 1996 No. 288](#) and regulation 10 of [S.R. 1998 No. 112](#)

(3) Paragraph 9 was substituted by, and paragraph 9A inserted by, regulation 5(a) of [S.R. 1989 No. 139](#)

- (ii) paragraph 10 or 12 of Schedule 1 to the 1996 Regulations; or
- (c) a disability premium under either—
  - (i) paragraph 11(5) of Schedule 2 to the 1987 Regulations, or
  - (ii) paragraph 13 of Schedule 1 to the 1996 Regulations,on the date he ceases to be in receipt of the relevant benefit.

(3) Where a person's applicable amount includes either a pensioner premium or a disability premium in accordance with the provisions specified in paragraph 2(b) or (c) on the date he ceases to be in receipt of the relevant benefit, paragraph (4) shall only apply where—

- (a) that person was a lone parent on 5th April 1998; and
  - (b) his applicable amount on 5th April 1998 included any of the premiums referred to in paragraph (2).
- (4) In the case of a lone parent to whom this paragraph applies and who—
- (a) was on 5th July 1998 in receipt of child benefit at the rate specified in regulation 2(1)(a)(i) of the principal Regulations;
  - (b) ceases to receive the relevant benefit upon entering paid employment; and
  - (c) applies for a review of the award of child benefit within one month of his ceasing to receive the relevant benefit,

regulation 2 of the principal Regulations shall continue to have effect with respect to his first application for a review of the award of child benefit made on or after 6th July 1998, as though regulation 2 of these Regulations had not been made and where the higher rate of child benefit is payable in consequence of that review, it shall be so payable from Monday in the week the lone parent enters paid employment, but only for so long as the lone parent continuously satisfies the conditions for entitlement to the higher rate of child benefit and the higher rate continues to exceed the rate for the time being specified in regulation 2(1)(a)(i) of the principal Regulations.

---

(4) Paragraph 10 was amended by regulation 30(a) of S.R. 1988 No. 146 and regulation 10 of S.R. 1992 No. 147  
(5) Paragraph 11 was amended by regulation 30(b) of S.R. 1988 No. 146