

2009 No. 87

FOOD

**The Healthy Start Scheme and Day Care Food Scheme
(Amendment) Regulations (Northern Ireland) 2009**

Made - - - - - *9th March 2009*

Coming into operation *6th April 2009*

The Department of Health, Social Services and Public Safety^(a), makes the following Regulations in exercise of the powers conferred by Article 13(1) to (4), (6) and (8) of the Social Security (Northern Ireland) Order 1988^(b) and section 171(2) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992^(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Healthy Start Scheme and Day Care Food Scheme (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 6th April 2009.

(2) In these Regulations “the principal Regulations” means the Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006^(d).

(3) The Interpretation Act (Northern Ireland) 1954^(e) shall apply to these Regulations as it applies to an Act of the Assembly

Amendment of regulation 4 of the principal Regulations

2.—(1) Regulation 4 (Entitlement to benefit) of the principal Regulations is amended as follows.

(2) In paragraph (3)(a)(iii), (d)(iii) and (e)(ii)(aa), for the sum of “£15,575” substitute “£16,040”.

(3) In paragraph (3)(a)(iii) and (d)(iii), for “except as provided for under paragraph (7) the person is not entitled to working tax credit;” substitute “the person is either not entitled to working tax credit or is treated as not being so entitled by virtue of paragraph (7)”.

(4) For paragraph (3)(e)(ii)(bb) substitute—

“(bb) either is not entitled to working tax credit or is treated as not being so entitled by virtue of paragraph (7).”.

Amendment of regulation 10 of the principal Regulations

3. In regulation 10(3) (Issue of voucher) of the principal Regulations, for the sum of “£3.00” substitute “£3.10”.

(a) Formerly the Department of Health and Social Services; *see* S.I. 1999/283 (N.I. 1), Article 3(6)
(b) S.I. 1988/594 (N.I.2) Article 13 is substituted by Article 3 of S.I. 2003/3202 (N.I. 19) *see* S.R. 2006 No. 418 (C. 24) as amended by S.R. 2006 No. 437 (C. 26)
(c) 1992 c. 7, section 171(2) to (5) is applied by Article 15A of the Social Security (Northern Ireland) Order 1988, which Article was inserted by Article 22(1) of and paragraph 6(9) of Schedule 6 to the Social Security (Northern Ireland) Order 1990 (S.I. 1990/1511 (N.I. 15)) and amended by section 4 of and paragraph 35(4) and (5) of Schedule 2 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), and Article 3(2) of S.I. 2003/3202 (N.I. 19)
(d) S.R. 2006 No. 478 as amended by S.R. 2007 No. 188 and S.R. 2008 No. 131
(e) 1954 c. 33 (N.I.)

Amendment of Schedule 1 to the principal Regulations

4. For paragraph 4(1)(a)(iii) of Schedule 1 to the principal Regulations, substitute-
- “(iii) child tax credit, where the relevant income of the person or persons to whom the award of child tax credit is made under section 14 of the Tax Credit Act 2002 is determined at the time of the award not to exceed £16,040, and the person is either not entitled to working tax credit or is treated as not being so entitled by virtue of regulation 4(7); and”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 9th March 2009.

(L.S.)

Christine Jendoubi

A senior officer of the Department of Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006 (“the principal Regulations”).

Regulation 2 amends regulation 4 of the principal Regulations.

Regulation 2(2) increases the upper income level which determines whether a person receiving child tax credit but not working tax credit is entitled to benefit under the principal Regulations.

Regulation 2(3) and (4) clarify the words at the end of regulation 4(3)(a)(iii), (d)(iii) and (e)(ii)(bb) of the principal Regulations.

Regulation 3 increases the value of vouchers available under the principal Regulations from £3.00 to £3.10.

Regulation 4 amends Schedule 1 to the principal Regulations to mirror the increase to the upper income level and the clarification of regulation 4 of the principal Regulations.

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