



Child Benefit Act 2005

2005 CHAPTER 6

An Act to make provision for and in connection with altering the descriptions of persons in respect of whom a person may be entitled to child benefit. [24th March 2005]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Persons for whom child benefit may be claimed: Great Britain

- (1) In section 141 of the Social Security Contributions and Benefits Act 1992 (c. 4) (which provides that, subject to what follows, a person is entitled to child benefit in respect of each child for whom he is responsible)—
 - (a) after “one or more children” insert “ or qualifying young persons ”, and
 - (b) for “child or each of the children” substitute “ child or qualifying young person, or each of the children or qualifying young persons, ”.
- (2) For section 142 of that Act (which defines as a child for the purposes of child benefit a person who is under 16, or is under 18 and not in full-time education but satisfies prescribed conditions, or is under 19 and in full-time education) substitute—

“142 “Child” and “qualifying young person”

- (1) For the purposes of this Part of this Act a person is a child if he has not attained the age of 16.
- (2) In this Part of this Act “qualifying young person” means a person, other than a child, who —
 - (a) has not attained such age (greater than 16) as is prescribed by regulations made by the Treasury, and
 - (b) satisfies conditions so prescribed.”
- (3) Part 1 of Schedule 1 contains amendments consequential on this section.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

- I1** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

2 Persons for whom child benefit may be claimed: Northern Ireland

- (1) In section 137 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7), (which provides that, subject to what follows, a person is entitled to child benefit in respect of each child for whom he is responsible)—
- (a) after “one or more children” insert “ or qualifying young persons ”, and
 - (b) for “child or each of the children” substitute “ child or qualifying young person, or each of the children or qualifying young persons, ”.
- (2) For section 138 of that Act (which defines as a child for the purposes of child benefit a person who is under 16, or is under 18 and not in full-time education but satisfies prescribed conditions, or is under 19 and in full-time education) substitute—

“138 “Child” and “qualifying young person”

- (1) For the purposes of this Part of this Act a person is a child if he has not attained the age of 16.
- (2) In this Part of this Act “qualifying young person” means a person, other than a child, who —
 - (a) has not attained such age (greater than 16) as is prescribed by regulations made by the Treasury, and
 - (b) satisfies conditions so prescribed.”
- (3) Part 2 of Schedule 1 contains amendments consequential on this section.

Commencement Information

- I2** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

3 Repeals

Schedule 2 contains—

- (a) in Part 1, repeals of enactments extending to England and Wales and Scotland, and
- (b) in Part 2, repeals of enactments extending to Northern Ireland.

Commencement Information

- I3** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

4 Financial provision

There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums which under any other Act are payable out of money so provided.

Commencement Information

- I4** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

5 Extent

(1) Section 1 (and Part 1 of Schedule 1) and section 3(a) (and Part 1 of Schedule 2) extend only to England and Wales and Scotland.

(2) Section 2 (and Part 2 of Schedule 1) and section 3(b) (and Part 2 of Schedule 2) extend only to Northern Ireland.

Commencement Information

- I5** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

6 Commencement

(1) Any power to make regulations conferred on the Treasury by virtue of this Act may be exercised at any time after the passing of this Act.

(2) But, subject to that, this Act does not come into force until 10th April 2006.

Commencement Information

- I6** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

7 Short title

This Act may be cited as the Child Benefit Act 2005.

Commencement Information

- I7** Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Sections 1 and 2

CONSEQUENTIAL AMENDMENTS

PART 1

GREAT BRITAIN

Social Security Contributions and Benefits Act 1992 (c. 4)

1 The Social Security Contributions and Benefits Act 1992 is amended as follows.

Commencement Information

18 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 2 (1) Section 37 (widowed mother's allowance) is amended as follows.
- (2) In subsection (1)(a), after “a child” insert “ or qualifying young person ”.
- (3) In subsection (2), after—
- (a) “A child”,
 - (b) “the child”, in both places, and
 - (c) “a child”, in both places,
- insert “ or qualifying young person ”.

Commencement Information

19 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 3 (1) Section 39A (widowed parent's allowance) is amended as follows.
- (2) In subsection (2)(a), after “a child” insert “ or qualifying young person ”.
- (3) In subsection (3), after—
- (a) “A child”,
 - (b) “the child”, in both places, and
 - (c) “a child”, in both places,
- insert “ or qualifying young person ”.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

I10 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 4 (1) Section 77 (guardian's allowance) is amended as follows.
- (2) In subsection (1), after—
- (a) “a child”, and
 - (b) “that child”,
- insert “ or qualifying young person ”.
- (3) In subsection (2), for “child's parents”, in each place, substitute “ parents of the child or qualifying young person ”.
- (4) In subsection (3)—
- (a) after “child” insert “ or qualifying young person ”, and
 - (b) for “child's parent's” substitute “ parents of the child or qualifying young person ”.
- (5) In subsection (4), after “child” insert “ or qualifying young person ”.
- (6) In subsection (5), after “child”, in both places, insert “ or qualifying young person ”.
- (7) In subsection (7), after “child” insert “ or qualifying young person ”.
- (8) In subsection (8)—
- (a) after “child”, in both places, insert “ or qualifying young person ”, and
 - (b) for “a child's parents” substitute “ the parents of a child or qualifying young person ”.
- (9) In subsection (9), after “child” insert “ or qualifying young person ”.
- (10) In subsection (10), after “child” insert “ or qualifying young person ”.
- (11) In subsection (11), after “child”, in both places, insert “ or qualifying young person ”.

Commencement Information

I11 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

5 **F1**

Textual Amendments

F1 [Sch. 1 para. 5](#) repealed (12.1.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), ss. 61(2), (3), [Sch. 7 Pt. 2](#)

6 **F2**

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Textual Amendments

F2 Sch. 1 para. 6 repealed (26.9.2007) by [Pensions Act 2007 \(c. 22\)](#), ss. 4(1), 30(3), [Sch. 7 Pt. 2](#) (with s. 4(5))

- 7 (1) Section 114 (persons maintaining dependants etc.) is amended as follows.
- (2) In subsection (1), after “child” insert “ or qualifying young person ”.
- (3) In subsection (3), after “children” insert “ or qualifying young persons ”.

Commencement Information

I12 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 8 (1) Section 122(1) (Parts 1 to 6: interpretation) is amended as follows.
- (2) For the definition of “child” substitute—
- ““child” has the same meaning as in Part 9 of this Act;”.
- (3) Insert at the appropriate place—
- ““qualifying young person” has the same meaning as in Part 9 of this Act;”.

Commencement Information

I13 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 9 (1) Section 143 (child benefit: person responsible for child) is amended as follows.
- (2) In subsection (1), after “child”, in each place except in the phrase “child benefit”, insert “ or qualifying young person ”.
- (3) In subsection (2), after “child”, in both places, insert “ or qualifying young person ”.
- (4) In subsection (3)—
- (a) for “child's” substitute “ fact that the child or qualifying young person is ”,
- (b) in paragraph (a), for “full-time education by attendance at a recognised educational establishment” substitute “ education or training of a description prescribed by regulations made by the Treasury ”, and
- (c) in paragraph (c), omit “being;”.
- (5) In subsection (4)—
- (a) after “any child” and “for the child” insert “ or qualifying young person ”, and
- (b) for “of the child” substitute “ of him ”.
- (6) In subsection (5), after “child”, in both places, insert “ or qualifying young person ”.
- (7) In the heading, for “**child**” substitute “ **child or qualifying young person** ”.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

I14 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 10 (1) Section 144 (child benefit: exclusions and priority) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2), omit “in other cases”.
- (4) In subsection (3), after “same child” insert “ or qualifying young person ”.

Commencement Information

I15 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 11 In section 145(2) (different rates of child benefit by reference to age of child), after “child” insert “ or qualifying young person ”.

Commencement Information

I16 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 12 (1) Section 145A (entitlement to child benefit after death of child) is amended as follows.
- (2) In subsection (1), after—
- (a) “a child”, and
- (b) “the child”,
- insert “ or qualifying young person ”.
- (3) In subsection (4), after “a child” insert “ or qualifying young person ”.
- (4) In the heading, after “**child**” insert “ **or qualifying young person** ”.

Commencement Information

I17 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 13 (1) Section 146 (child benefit: presence in Great Britain) is amended as follows.
- (2) In subsection (1), after “a child” insert “ or qualifying young person ”.
- (3) In subsection (3)—
- (a) for “a child or other” substitute “ any ”, and
- (b) for “this section” substitute “ subsection (1) or (2) above ”.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

I18 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 14 (1) Section 147 (child benefit: interpretation and supplementary) is amended as follows.
- (2) In subsection (1), omit the definition of “recognised educational establishment”.
- (3) In subsection (3), after “child” insert “ or qualifying young person ”.

Commencement Information

I19 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 15 (1) Part 5 of Schedule 4 (rates of industrial injuries benefits) is amended as follows.
- (2) In paragraphs 1 and 4, in the second column, in paragraph (a), omit “child or adult”.
- (3) In paragraph 12—
- (a) in the first column, after “children” insert “ and qualifying young persons ”, and
- (b) in the second column, for “qualifying child” substitute “ child or qualifying young person ”.

Commencement Information

I20 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 16 (1) Schedule 7 (industrial injuries benefits) is amended as follows.
- (2) In paragraph 4—
- (a) in sub-paragraph (1), for “a child or children” substitute “ one or more children or qualifying young persons ”, and
- (b) in sub-paragraph (4), after “child”, in both places, insert “ or qualifying young person ”,
- and in the heading before that paragraph, after “*children*” insert “ *and qualifying young persons* ”.
- (3) In paragraph 5(1), after “child”, in each place, insert “ or qualifying young person ”.
- (4) In paragraph 6(1)—
- (a) after “nor a child” insert “ or qualifying young person ”, and
- (b) for “a child or children” substitute “ one or more children or qualifying young persons ”.
- (5) In paragraph 16(2)(a), after “children” insert “ or qualifying young persons ”.
- (6) In paragraph 18—
- (a) for “a child or children” substitute “ one or more children or qualifying young persons ”,

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

(b) after “that child”, in each place, insert “ or qualifying young person ”, and
(c) after “those children”, in each place, insert “ or qualifying young persons ”,
and in the heading before that paragraph, for “*Children of deceased's*” substitute “*Deceased's*”.

(7) In paragraph 19, after “child”, in each place, insert “ or qualifying young person ”; and in the heading before that paragraph, after “*children*” insert “ *and qualifying young persons* ”.

Commencement Information

I21 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

17 (1) Schedule 9 (exclusions from entitlement to child benefit) is amended as follows.

(2) In paragraph 1, after—

(a) “a child”, and

(b) “the child”,

insert “ or qualifying young person ”; and, in the heading before it, after “*Children*” insert “ *and qualifying young persons* ”.

(3) Omit paragraph 2 (and the heading before it).

(4) In paragraph 3, after “a child” insert “ or qualifying young person ”; and, in the heading before it, after “*Children*” insert “ *and qualifying young persons* ”.

Commencement Information

I22 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

18 (1) Schedule 10 (priority between persons entitled to child benefit) is amended as follows.

(2) In paragraph 1(1), after—

(a) “a child”, and

(b) “that child”,

insert “ or qualifying young person ”.

(3) In the heading before paragraph 2, after “*child*” insert “ *or qualifying young person* ”.

(4) In paragraph 4, after “child”, in both places, insert “ or qualifying young person ”.

Commencement Information

I23 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Social Security Administration Act 1992 (c. 5)

19 The Social Security Administration Act 1992 is amended as follows.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

I24 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 20 (1) Section 13 (necessity of application for child benefit) is amended as follows.
- (2) In subsection (1C), after “children” insert “ or qualifying young persons ”.
- (3) In subsection (2), after “same child” insert “ or qualifying young person ”.

Commencement Information

I25 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 21 In section 73(2)(c) and (5)(c) (overlapping benefits), omit “child or adult”.

Commencement Information

I26 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 22 In section 80 (child benefit: overlap with benefits under legislation of other member States), after “any child” insert “ or qualifying young person ”.

Commencement Information

I27 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 23 In section 155(6) (effect of alteration of rates of benefit), after “child” insert “ or qualifying young person ”.

Commencement Information

I28 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 24 In section 157(2) (effect of alteration of rates of child benefit), after “a child”, in both places, insert “ or qualifying young person ”.

Commencement Information

I29 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 25 In section 158(1) (treatment of excess benefit as paid on account of child benefit), after—
- (a) “a child”, and
- (b) “of the child”, in both places,

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

insert “ or qualifying young person ”.

Commencement Information

I30 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Social Security Act 1998 (c. 14)

- 26 In section 18(2) of the Social Security Act 1998 (regulations about decisions), after—
- (a) “a child”, and
 - (b) “the child”,
- insert “ or qualifying young person ”.

Commencement Information

I31 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

PART 2

NORTHERN IRELAND

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

- 27 The Social Security Contributions and Benefits (Northern Ireland) Act 1992 is amended as follows.

Commencement Information

I32 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 28 (1) Section 37 (widowed mother's allowance) is amended as follows.
- (2) In subsection (1)(a), after “a child” insert “ or qualifying young person ”.
- (3) In subsection (2), after—
- (a) “A child”,
 - (b) “the child”, in both places, and
 - (c) “a child”, in both places,
- insert “ or qualifying young person ”.

Commencement Information

I33 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

- 29 (1) Section 39A (widowed parent's allowance) is amended as follows.
- (2) In subsection (2)(a), after “a child” insert “ or qualifying young person ”.
- (3) In subsection (3), after—
- (a) “A child”,
 - (b) “the child”, in both places, and
 - (c) “a child”, in both places,
- insert “ or qualifying young person ”.

Commencement Information

I34 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 30 (1) Section 77 (guardian's allowance) is amended as follows.
- (2) In subsection (1), after—
- (a) “a child”, and
 - (b) “that child”,
- insert “ or qualifying young person ”.
- (3) In subsection (2), for “child's parents”, in each place, substitute “ parents of the child or qualifying young person ”.
- (4) In subsection (3)—
- (a) after “child” insert “ or qualifying young person ”, and
 - (b) for “child's parent's” substitute “ parents of the child or qualifying young person ”.
- (5) In subsection (4), after “child” insert “ or qualifying young person ”.
- (6) In subsection (5), after “child”, in both places, insert “ or qualifying young person ”.
- (7) In subsection (7), after “child” insert “ or qualifying young person ”.
- (8) In subsection (8)—
- (a) after “child”, in both places, insert “ or qualifying young person ”, and
 - (b) for “a child's parents” substitute “ the parents of a child or qualifying young person ”.
- (9) In subsection (9), after “child” insert “ or qualifying young person ”.
- (10) In subsection (10), after “child” insert “ or qualifying young person ”.
- (11) In subsection (11), after “child”, in both places, insert “ or qualifying young person ”.

Commencement Information

I35 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 31 In section 82(4) (increase in maternity allowance)—
- (a) after “nor a child” insert “ or qualifying young person ”, and

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

- (b) for “a child or children” substitute “ one or more children or qualifying young persons ”.

Commencement Information

I36 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

32 ^{F3}

Textual Amendments

F3 [Sch. 1 para. 32](#) repealed (6.4.2010) by [Pensions Act \(Northern Ireland\) 2008 \(c. 1\), s. 19\(4\)\(b\)](#), [Sch. 6 Pt. 2](#) (with [ss. 4\(5\)-\(8\)](#))

- 33 (1) Section 114 (persons maintaining dependants etc.) is amended as follows.
(2) In subsection (1), after “child” insert “ or qualifying young person ”.
(3) In subsection (3), after “children” insert “ or qualifying young persons ”.

Commencement Information

I37 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 34 (1) Section 121(1) (Parts 1 to 6: interpretation) is amended as follows.
(2) For the definition of “child” substitute—
 ““child” has the same meaning as in Part 9 of this Act;”
(3) Insert at the appropriate place—
 ““qualifying young person” has the same meaning as in Part 9 of this Act;”.

Commencement Information

I38 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 35 (1) Section 139 (child benefit: person responsible for child) is amended as follows.
(2) In subsection (1), after “child”, in each place except in the phrase “child benefit”, insert “ or qualifying young person ”.
(3) In subsection (2), after “child”, in both places, insert “ or qualifying young person ”.
(4) In subsection (3)—
 (a) for “child's” substitute “ fact that the child or qualifying young person is ”,
 (b) in paragraph (a), for “full-time education by attendance at a recognised educational establishment” substitute “ education or training of a description prescribed by regulations made by the Treasury ”, and

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

- (c) in paragraph (c), omit “being”.
- (5) In subsection (4)—
 - (a) after “any child” and “for the child” insert “ or qualifying young person ”, and
 - (b) for “of the child” substitute “ of him ”.
- (6) In subsection (5), after “child”, in both places, insert “ or qualifying young person ”.
- (7) In the heading, for “**child**” substitute “ **child or qualifying young person** ”.

Commencement Information

I39 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 36 (1) Section 140 (child benefit: exclusions and priority) is amended as follows.
 - (2) Omit subsection (1).
 - (3) In subsection (2), omit “in other cases”.
 - (4) In subsection (3), after “same child” insert “ or qualifying young person ”.

Commencement Information

I40 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 37 In section 141(2) (different rates of child benefit by reference to age of child), after “child” insert “ or qualifying young person ”.

Commencement Information

I41 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 38 (1) Section 141A (entitlement to child benefit after death of child) is amended as follows.
 - (2) In subsection (1), after—
 - (a) “a child”, and
 - (b) “the child”,
 insert “ or qualifying young person ”.
 - (3) In subsection (4), after “a child” insert “ or qualifying young person ”.
 - (4) In the heading, after “**child**” insert “ **or qualifying young person** ”.

Commencement Information

I42 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

- 39 (1) Section 142 (child benefit: presence in Northern Ireland) is amended as follows.
- (2) In subsection (1), after “a child” insert “ or qualifying young person ”.
- (3) In subsection (3)—
- (a) for “a child or other” substitute “ any ”, and
 - (b) for “this section” substitute “ subsection (1) or (2) above ”.

Commencement Information

I43 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 40 (1) Section 143 (child benefit: interpretation and supplementary) is amended as follows.
- (2) In subsection (1), omit the definition of “recognised educational establishment”.
- (3) In subsection (3), after “child” insert “ or qualifying young person ”.

Commencement Information

I44 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 41 (1) Part 5 of Schedule 4 (rates of industrial injuries benefits) is amended as follows.
- (2) In paragraphs 1 and 4, in the second column, in paragraph (a), omit “child or adult”.
- (3) In paragraph 12—
- (a) in the first column, after “children” insert “ and qualifying young persons ”, and
 - (b) in the second column, for “qualifying child” substitute “ child or qualifying young person ”.

Commencement Information

I45 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 42 (1) Schedule 7 (industrial injuries benefits) is amended as follows.
- (2) In paragraph 4—
- (a) in sub-paragraph (1), for “a child or children” substitute “ one or more children or qualifying young persons ”, and
 - (b) in sub-paragraph (4), after “child”, in both places, insert “ or qualifying young person ”,
- and in the heading before that paragraph, after “*children*” insert “ *and qualifying young persons* ”.
- (3) In paragraph 5(1), after “child”, in each place, insert “ or qualifying young person ”.
- (4) In paragraph 6(1)—
- (a) after “nor a child” insert “ or qualifying young person ”, and

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

- (b) for “a child or children” substitute “one or more children or qualifying young persons”.
- (5) In paragraph 16(2)(a), after “children” insert “or qualifying young persons”.
- (6) In paragraph 18—
 - (a) for “a child or children” substitute “one or more children or qualifying young persons”,
 - (b) after “that child”, in each place, insert “or qualifying young person”, and
 - (c) after “those children”, in each place, insert “or qualifying young persons”, and in the heading before that paragraph, for “*Children of deceased's*” substitute “*Deceased's*”.
- (7) In paragraph 19, after “child”, in each place, insert “or qualifying young person”; and in the heading before that paragraph, after “*children*” insert “*and qualifying young persons*”.

Commencement Information

I46 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 43 (1) Schedule 9 (exclusions from entitlement to child benefit) is amended as follows.
 - (2) In paragraph 1—
 - (a) in sub-paragraph (1), after “a child” and “the child”, and
 - (b) in sub-paragraph (2), after “a child”,
 insert “or qualifying young person”; and, in the heading before it, after “*Children*” insert “*and qualifying young persons*”.
 - (3) Omit paragraph 2 (and the heading before it).
 - (4) In paragraph 3, after “a child” insert “or qualifying young person”; and, in the heading before it, after “*Children*” insert “*and qualifying young persons*”.

Commencement Information

I47 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 44 (1) Schedule 10 (priority between persons entitled to child benefit) is amended as follows.
 - (2) In paragraph 1(1), after—
 - (a) “a child”, and
 - (b) “that child”,
 insert “or qualifying young person”.
 - (3) In the heading before paragraph 2, after “*child*” insert “*or qualifying young person*”.
 - (4) In paragraph 4, after “child”, in both places, insert “or qualifying young person”.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

I48 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

45 The Social Security Administration (Northern Ireland) Act 1992 is amended as follows.

Commencement Information

I49 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

46 (1) Section 11 (necessity of application for child benefit) is amended as follows.

(2) In subsection (1C), after “children” insert “ or qualifying young persons ”.

(3) In subsection (2), after “same child” insert “ or qualifying young person ”.

Commencement Information

I50 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

47 In section 71(2)(c) and (5)(c) (overlapping benefits), omit “child or adult”.

Commencement Information

I51 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

48 In section 76 (child benefit: overlap with benefits under legislation of other member States), after “any child” insert “ or qualifying young person ”.

Commencement Information

I52 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

49 In section 135(6) (effect of alteration of rates of benefit), after “child” insert “ or qualifying young person ”.

Commencement Information

I53 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

50 In section 137(2) (effect of alteration of rates of child benefit), after “a child”, in both places, insert “ or qualifying young person ”.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

Commencement Information

I54 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

- 51 In section 138(1) (treatment of excess benefit as paid on account of child benefit), after—
- (a) “a child”, and
 - (b) “of the child”, in both places,
- insert “ or qualifying young person ”.

Commencement Information

I55 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))

- 52 In Article 18(2) of the Social Security (Northern Ireland) Order 1998 (regulations about decisions), after—
- (a) “a child”, and
 - (b) “the child”,
- insert “ or qualifying young person ”.

Commencement Information

I56 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

SCHEDULE 2

Section 3

REPEALS

PART 1

GREAT BRITAIN

Commencement Information

I57 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

Short title and chapter

Extent of repeal

Social Security Contributions and Benefits Act 1992 (c. 4)

In section 143(3)(c), the word “being”.

Status: Point in time view as at 06/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Child Benefit Act 2005. (See end of Document for details)

	<p>In section 144, subsection (1) and, in subsection (2), the words “in other cases”. In section 147(1), the definition of “recognised educational establishment”. In Schedule 4, in Part 5, in paragraphs 1 and 4, in the second column, in paragraph (a), the words “child or adult”. In Schedule 9, paragraph 2 (and the heading before it).</p>
Social Security Administration Act 1992 (c. 5)	<p>In section 73(2)(c) and (5)(c), the words “child or adult”.</p>
Tax Credits Act 2002 (c. 21)	<p>In section 49(1)(b), the words “section 142(1)(c) and (2) and”.</p>

PART 2

NORTHERN IRELAND

Commencement Information

I58 Act wholly in force at 10.4.2006; Act in force for certain purposes at Royal Assent and otherwise in force at 10.4.2006, see [s. 6](#)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)	<p>In section 139(3)(c), the word “being,”. In section 140, subsection (1) and, in subsection (2), the words “in other cases”. In section 143(1), the definition of “recognised educational establishment”. In Schedule 4, in Part 5, in paragraphs 1 and 4, in the second column, in paragraph (a), the words “child or adult”. In Schedule 9, paragraph 2 (and the heading before it).</p>
Social Security Administration (Northern Ireland) Act 1992 (c. 8)	<p>In section 71(2)(c) and (5)(c), the words “child or adult”.</p>
Tax Credits Act 2002 (c. 21)	<p>In section 49(2)(b), the words “section 138(1)(c) and (2) and”.</p>

Status:

Point in time view as at 06/04/2010.

Changes to legislation:

There are currently no known outstanding effects for the Child Benefit Act 2005.