

## 1980 No. 110

## SOCIAL SECURITY

**The Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment Regulations 1980**

*Laid before Parliament in draft*

*Made* - - - 31st January 1980

*Coming into Operation* 1st February 1980

Whereas a draft of the following regulations was laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Services, in conjunction with the Treasury<sup>(a)</sup> and in exercise of the powers conferred upon him by section 5 of the Child Benefit Act 1975<sup>(b)</sup> and of all other powers enabling him in that behalf, hereby makes the following regulations:—

*Citation, interpretation and commencement*

1. These regulations, which may be cited as the Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment Regulations 1980, amend the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976<sup>(c)</sup> (hereinafter referred to as “the principal regulations”) and shall come into operation on 1st February 1980.

*Amendment of regulation 2 of the principal regulations*

2. In regulation 2 of the principal regulations—

- (a) at the beginning of paragraph (2), there shall be inserted the words “Subject to paragraph (2A) of this regulation,”;
- (b) in paragraph (2)(a) there shall be deleted the words “of whom he is a parent”;

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(a) See section 22(1)(a) of the Child Benefit Act 1975 (c. 61).

(b) 1975 c. 61.

(c) S.I. 1976/1267; relevant amending instruments are S.I. 1977/1328, 1978/914; 1979/998.

(c) after paragraph (2) there shall be inserted the following paragraph—

“(2A) A person who is residing with a parent of the child shall not be entitled to an increase under paragraph (2) of this regulation in respect of that child except where he is also entitled to child benefit in respect of another child for whom he is treated as responsible under section 3(1)(a) of the Act and he is not residing with a parent of that other child.”

(d) in paragraph (5)(a)(i) after “section 70” there shall be inserted the words “at the higher rate specified in Schedule 4, Part V, paragraph 15(a)”;

(e) for paragraph (5)(b) there shall be substituted the following—

“(b) under the Industrial Injuries and Diseases (Old Cases) Act 1975(a), an increase in respect of a child under section 7(3)(c) equal to the increase payable under section 64 of the Social Security Act at the higher rate specified in Schedule 4, Part V, paragraph 10;”

*Patrick Jenkin,*  
Secretary of State for Social Services.

28th January 1980.

*Peter Morrison,*  
*John MacGregor,*  
Two of the Lords Commissioners  
of Her Majesty's Treasury.

31st January 1980.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976 so as to enable a person though not a parent of the child to qualify for the increased rate of child benefit on the condition that he is not residing with a parent of the child. They also enable a person to qualify for the increase though he is entitled to an allowance at the lower rate under section 70 of the Social Security Act 1975 (c. 14) or to an amount at the lower rate under section 7(3)(c) of the Industrial Injuries and Diseases (Old Cases) Act 1975 (c. 16), in respect of the child.

