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STATUTORY INSTRUMENTS

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**1988 No. 536**

**FOOD**

**The Welfare Food Regulations 1988**

<i>Made</i>	- - - -	<i>18th March 1988</i>
<i>Laid before Parliament</i>		<i>18th March 1988</i>
<i>Coming into force</i>	- -	<i>11th April 1988</i>

In exercise of powers conferred by sections 13(3), (4), (5) and (8) and 17(4) of the Social Security Act 1988<sup>(1)</sup> and section 54 of the Social Security Act 1986<sup>(2)</sup> and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

**PART 1**

**PRELIMINARY**

**Citation and commencement**

1. These Regulations may be cited as the Welfare Food Regulations 1988 and shall come into force as follows:—

- (a) regulation 18 and Schedule 6, in so far as they relate to section 54(1) of the Social Security Act 1986, on 19th March 1988;
- (b) in all other respects, on 11th April 1988.

**Interpretation**

2.—(1) In these Regulations unless the context otherwise requires—

“the 1948 Act” means the Nurseries and Child-Minders Regulation Act 1948<sup>(3)</sup>;

“the 1986 Act” means the Social Security Act 1986<sup>(4)</sup>;

“approved price” means the lowest price which in the ordinary course of his business a supplier charges any of his customers during the week in which a milk token was used for a pint of, or, if he supplies milk only in metric measures, for half a litre of—

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(1) 1988 c. 7.  
(2) 1986 c. 50. See regulation 18 of, and Schedule 6 to, these Regulations.  
(3) 1948 c. 53.  
(4) 1986 c. 50.

- (a) as respects England and Wales, milk;
- (b) as respects Scotland, pasteurised milk within the meaning of paragraph 1 of Part I of Schedule 3 to the Milk (Special Designations) (Scotland) Order 1980<sup>(5)</sup>;

“beneficiary” means a person entitled by virtue of regulation 3(1) or (2), to milk, dried milk or vitamins;

“clinic” means in relation to England and Wales any maternity clinic, child health clinic or welfare food distribution centre operated by, or on behalf of, the Secretary of State, the sale of goods from which is designated by the Sale of Goods for Mothers and Children (Designation and Charging) Regulations 1976<sup>(6)</sup> and in relation to Scotland any maternity clinic or child health clinic or centre designated by the National Health Service (Supply of Goods at Clinics etc.) (Scotland) Regulations 1976<sup>(7)</sup>;

“dried milk” means any of the modified dried milks specified in Column 1 of Schedule 1 and manufactured by the person specified in relation to it in Column 2 of Schedule 1;

“family” has the meaning assigned to it by section 20(11) of the 1986 Act as it applies to income support;

“family credit” means family credit under Part II of the 1986 Act;

“handicapped child” means a child who—

- (a) has attained the age of 5 years but has not attained the age of 16 years;
- (b) is not in paid employment; and
- (c) by reason of disability of mind or body is neither a registered pupil at a school in accordance with the provisions of the Education Acts 1944 to 1981 nor a pupil at a school in accordance with the provisions of the Education (Scotland) Act 1980<sup>(8)</sup>;

“income support” means income support under Part II of the 1986 Act and includes personal expenses addition, special transition addition and transitional addition as defined in regulation 2(1) of the Income Support (Transitional) Regulations 1987<sup>(9)</sup>;

“local authority” means a regional or an islands authority in Scotland;

“local social services authority” means the council of a non-metropolitan county or of a metropolitan district or a London borough or the Common Council of the City of London;

“milk” means only liquid cows' milk including liquid cows' semi-skimmed milk but does not include milk to or from which chemicals, vitamins, flavours or colours have been added or removed otherwise than incidentally in the process of heat treatment;

“milk token” means a token for milk or dried milk issued by the Secretary of State under regulation 7(1);

“nearest clinic” means in relation to any person, the clinic which, in the opinion of the Secretary of State is located the shortest convenient walking distance from where the person lives;

“nursing mother” means a woman who has given birth to a child within the preceding 30 weeks and is herself suckling the child;

“period of validity” in relation to a milk token means the period indicated on it in accordance with regulation 7(2) as that during which it may be used;

“registered child-minder” means a person who is registered with a local authority or a local social services authority pursuant to section 1(1)(b) of the 1948 Act;

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(5) S.I.1980/1866.

(6) S.I. 1976/516.

(7) S.I. 1976/540 (This instrument was amended by S.I. 1988/535).

(8) 1980 c. 44.

(9) S.I. 1987/1969.

“registered day nursery” means a day nursery or playgroup provided in premises which are registered with a local authority or a local social services authority pursuant to section 1(1) (a) of the 1948 Act;

“supplier” means a person who supplies milk under these Regulations;

“vitamins” means vitamin tablets or vitamin drops comprising vitamins A, C and D.

- (2) In these Regulations, unless the context otherwise requires, a reference:–
- (a) to a numbered Part is to the Part of these Regulations bearing that number;
  - (b) to a numbered regulation or Schedule is to the regulation in, or the Schedule to, these Regulations bearing that number;
  - (c) in a regulation or Schedule to a numbered paragraph is to the paragraph in that regulation or Schedule bearing that number;
  - (d) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

## PART II

### ENTITLEMENT TO WELFARE FOOD

#### **Free milk, dried milk and vitamins**

3.—(1) Subject to the provisions as to milk tokens contained in Part III, any of the following in Great Britain–

- (a) an expectant mother who is, or is a member of the family of a person who is, in receipt of income support;
- (b) a child, who has not attained the age of 5 years who is a member of a family a member of which is in receipt of income support and who is being cared for by a member of such a family;
- (c) a handicapped child,

is entitled to receive for personal consumption milk or dried milk in accordance with these Regulations free of charge.

(2) Subject to the provisions as to evidence contained in paragraph (3) any of the following in Great Britain–

- (a) an expectant or nursing mother who is, or is a member of the family of a person who is, in receipt of income support;
- (b) a child who has not attained the age of 5 years, who is a member of a family a member of which is in receipt of income support and who is being cared for by a member of such a family,

is entitled to receive for personal consumption vitamins in accordance with these Regulations free of charge.

(3) Entitlement to free vitamins shall be subject to an application being made to a clinic supported by documentary evidence of the relevant entitlement to income support either in the form of an order book or otherwise.

(4) A beneficiary’s entitlement to milk or dried milk is as follows–

- (a) except in the case of a child who has not attained the age of 1 year, to milk at the rate of 7 pints per week, or where the supplier supplies milk only in metric measures, 4 litres per week;

(b) in the case of a child who has not attained the age of 1 year, either to milk at the rates specified in sub-paragraph (a) or to dried milk at the rate of 900 grammes per week, instead of milk.

(5) A beneficiary's entitlement to vitamins is at the rate specified in Column 2 of Schedule 2 in relation to the category of beneficiary specified in Column 1 of that Schedule.

#### **Additional milk or dried milk for children in day care**

4.—(1) Each child who has not attained the age of 5 years and who is cared for by a person approved by the Secretary of State under paragraph (4) shall be entitled to receive, for each day on which he is so cared for, free of charge, in addition to any entitlement under regulation 3—

- (a) except where the child has not attained the age of 1 year, one third of a pint of milk;
- (b) where the child has not attained the age of 1 year, either one third of a pint of milk or dried milk made up to provide one third of a pint.

(2) Any of the following may apply to the Secretary of State for approval to participate in the arrangements to provide milk under this regulation:—

- (a) a registered child minder;
- (b) a person who receives or proposes to receive children at a registered day nursery; or
- (c) a person who receives or proposes to receive children at a day nursery which is not required to be registered pursuant to the 1948 Act.

(3) An application for approval under paragraph (2) shall be in writing, shall be sent to the Secretary of State, shall be accompanied by the information specified in paragraph 1 of Schedule 3, shall include a declaration that the information supplied is correct and complete and

- (a) in the case of an application pursuant to paragraph (2)(a) or (2)(b) shall also be accompanied by the certificate of registration issued under section 1 of the 1948 Act;
- (b) in the case of an application pursuant to paragraph (2)(c) shall also be accompanied by a statement by the local authority or local social services authority that the day care provided or to be provided is equivalent in purpose, quality and duration to that which is usually provided at a registered day nursery.

(4) The Secretary of State shall give his approval in writing if satisfied that the applicant will make adequate arrangements for the provision of milk or dried milk for the purposes of this regulation, and may withdraw his approval if he ceases to be so satisfied.

(5) A person approved under paragraph (4) who supplies milk or dried milk under this regulation shall subject to paragraphs (6) to (8) be reimbursed by the Secretary of State in accordance with paragraph (9).

(6) Claims for reimbursement shall be made to the Secretary of State and shall, so far as reasonably practicable, be made at intervals of 3 months and in respect of supplies in the period of 3 months immediately preceding the claim.

(7) Claims for reimbursement shall—

- (a) contain the information specified in paragraph 2(a) to (g) of Schedule 3 and a declaration that the information is correct and complete;
- (b) where the claim relates to milk be accompanied by an invoice or receipt from the supplier Schedule 4.

(8) The Secretary of State shall not be obliged to reimburse a person in respect of supply of milk which occurred more than 2 years before the date of the claim.

(9) The amount reimbursed to a person for milk or dried milk under this regulation shall be the cost to that person of purchasing it.

### **Purchase of welfare food**

5.—(1) Any person who is in receipt of family credit but who—

- (a) is not a beneficiary, and
- (b) is caring for a child who has not attained the age of 1 year and who is a member of the family for which he is in receipt of family credit

shall be entitled to purchase at any clinic, on behalf of each such child, at a price of £2.55, 900 grammes of dried milk per week for consumption by each such child.

(2) Entitlement under paragraph (1) shall be subject to application being made to a clinic, supported by documentary evidence of entitlement to family credit, whether in the form of an order book or otherwise.

(3) Subject to paragraph (4), a person entitled under paragraph (1) shall not seek to purchase dried milk from a clinic pursuant to this regulation at a rate greater than that specified in that paragraph.

(4) Notwithstanding paragraph (3) a person may purchase dried milk either up to four weeks in arrears or four weeks in advance of the application to purchase provided he satisfies the clinic as to his entitlement to receive family credit for the weeks for which the dried milk is purchased.

### **Use of milk, dried milk and vitamins**

6. Any milk, dried milk or vitamins obtained by or on behalf of a beneficiary and any dried milk obtained by a person pursuant to regulation 5 may be consumed only by the person for whom it was obtained unless—

- (a) in the case of milk or dried milk the beneficiary or other person for whom it was obtained has consumed within the period of 7 consecutive days immediately preceding the consumption a quantity of milk or dried milk approximately equal to the quantity of milk or dried milk obtained in respect of him; or
- (b) the consumption is reasonably necessary to avoid waste or is trifling in amount; or
- (c) the milk is provided under regulation 4.

## **PART III**

### **MILK TOKENS AND SUPPLIERS**

#### **Issue of milk tokens**

7.—(1) Subject to paragraphs (3) to (5), the Secretary of State shall issue, or cause to be issued, milk tokens to each beneficiary to enable him to obtain his entitlement under these regulations.

(2) Milk tokens shall when issued indicate on them a period during which they may be used, and may indicate different periods in respect of milk and dried milk.

(3) In the case of a handicapped child the issue of milk tokens shall be subject to an application being made to the Secretary of State.

(4) An application under paragraph (3) shall—

- (a) be sent to the Secretary of State;
- (b) include, or be accompanied by, the information specified in Schedule 4;
- (c) be accompanied by the handicapped child's birth certificate; and
- (d) include a declaration that the information supplied is correct and complete.

(5) The Secretary of State shall issue a milk token in respect of an application pursuant to paragraph (3) if he is satisfied that the child is a handicapped child.

#### **Use of milk tokens**

**8.—**(1) A milk token—

- (a) may be used by a beneficiary to obtain milk as described in paragraph (2) or to obtain dried milk as described in paragraph (3); and
- (b) may not be used by a beneficiary in any other way.

(2) A milk token may be presented within its period of validity to a supplier who has agreed to supply milk in exchange for it, to obtain 7 pints of, or, where the supplier supplies milk only in metric measure, 4 litres of, milk.

(3) A milk token may be presented within its period of validity at a clinic to obtain 900 grammes of dried milk for a child who has not attained the age of 1 year.

#### **Failure to receive milk tokens**

**9.—**(1) Any beneficiary who after 11th April 1988 is entitled to receive milk or dried milk on the presentation of a milk token, but who does not receive such entitlement as a result of failure to receive from the Secretary of State the milk token to which he is entitled under these Regulations, and for which he has applied where required, may apply to the Secretary of State in writing for a payment.

(2) If the Secretary of State is satisfied, on an application under paragraph (1), that some act or omission on his part was responsible for the beneficiary's failure to receive the milk tokens he shall pay the beneficiary—

- (a) in the case of milk, an amount equal to the approved price for a supplier in the area where the beneficiary resides multiplied by the number of days for which the beneficiary does not receive any, or sufficient, milk tokens;
- (b) in the case of dried milk, an amount equal to the lowest price charged for 900 grammes of a dried milk suitable for the beneficiary at the nearest clinic multiplied by the number of weeks for which the beneficiary did not receive any, or sufficient, milk tokens.

#### **Inability to purchase dried milk at a reduced price**

**10.—**(1) Any person who is unable to purchase a child's entitlement to dried milk pursuant to regulation 5 as a result of failure to receive from the Secretary of State evidence as to his entitlement to family credit may apply to the Secretary of State in writing for a payment.

(2) If the Secretary of State is satisfied, on an application under paragraph (1), that some act or omission on his part was responsible for the failure to receive the evidence of entitlement he shall pay the applicant an amount equal to the difference between—

- (a) the lowest price charged for 900 grammes of dried milk suitable for the child at the nearest clinic; and
- (b) £2.55

multiplied by the number of weeks the applicant was unable to purchase dried milk at a clinic for £2.55 although otherwise entitled to do so.

#### **Inability to obtain free vitamins**

**11.—**(1) Any beneficiary unable to obtain free vitamins from a clinic pursuant to regulation 3(3) as a result of failure to receive from the Secretary of State evidence as to his entitlement to income support may apply in writing to the Secretary of State for a payment.

(2) If the Secretary of State is satisfied, on an application under paragraph (1), that some act or omission on his part was responsible for the beneficiary's failure to receive the evidence of entitlement he shall pay the beneficiary an amount equal to the price charged for vitamins at the nearest clinic multiplied by the number of weeks the beneficiary did not have the necessary evidence of entitlement.

### **Suppliers of, and charges for, milk**

**12.**—(1) Subject to paragraphs (2) and (4), a supplier who has accepted from any beneficiary a milk token for milk shall supply milk at the rate specified in regulation 3(4).

(2) A supplier may accept a milk token for milk as part payment of the price of milk supplied to a beneficiary where the price of such milk exceeds the approved price on account of the designation of the milk supplied.

(3) A supplier—

- (a) may accept a milk token from a beneficiary before the start of its period of validity; but
- (b) if he does so, shall on demand return to the beneficiary all milk tokens in respect of which no milk has been supplied.

(4) The obligation on a supplier imposed by paragraph (1) does not apply where—

- (a) a milk token is returned before the start of its period of validity; or
- (b) the supplier is prevented from supplying milk because of circumstances outside his control.

### **Absence of beneficiary for less than a week**

**13.** Where—

- (a) a beneficiary is absent from his usual place of residence for more than one day but less than 7 days during the period of validity of any milk token which a supplier has accepted from him; and
- (b) the supplier has supplied against the milk token some, but not all, of the requisite 7 pints or 4 litres,

the supplier shall, if the beneficiary so requests within the period of validity, forthwith pay or allow the beneficiary in respect of each pint, or as the case may be, each half litre not supplied a sum equal to the approved price.

### **Absence of certain beneficiaries for a week**

**14.** Where—

- (a) a beneficiary, who is either a child who has not attained the age of 5 years or a handicapped child, is absent from his usual place of residence for any period of 7 consecutive days; and
- (b) the person for the time being in charge of that child has provided him with 7 pints, or as the case may be, 4 litres of milk,

that person shall, notwithstanding anything to the contrary in these Regulations, be entitled to retain a milk token issued in respect of such a child and to use it free from all restrictions as to the use of the milk so obtained.

### **Reimbursement of suppliers**

**15.** The Secretary of State shall reimburse a supplier who has submitted a milk token to him in accordance with Schedule 5 an amount equal to the approved price of the milk which the supplier

has supplied against that milk token, or for which he has made an allowance in accordance with regulation 13.

**Property in, and replacement and cancellation of, milk tokens**

16.—(1) Every milk token is and shall remain the property of the Secretary of State.

(2) The Secretary of State may replace milk tokens which have been lost.

(3) Where a supplier or a beneficiary to or in respect of whom replacement milk tokens have been issued subsequently finds the milk tokens supposed to have been lost, he shall deliver the latter forthwith to any office of the Department of Health and Social Security.

(4) The Secretary of State may cancel any milk token which cannot be validly used under these Regulations.

(5) Any beneficiary or supplier holding milk tokens shall, when requested by the Secretary of State, produce or deliver to the Secretary of State all milk tokens in his possession within such time and to such place as the Secretary of State may direct in writing.

(6) A supplier who has accepted a milk token from a beneficiary but loses it before supplying milk against it or returning it to the beneficiary shall notify the Secretary of State of the loss.

(7) Where any beneficiary holding milk tokens ceases to be entitled to them under these Regulations, he shall forthwith deliver them to any office of the Department of Health and Social Security.

PART IV  
GENERAL

**Powers of an authorised officer**

17.—(1) Any supplier who has submitted to the Secretary of State milk tokens for reimbursement, or any person employed by such a supplier or with whom the supplier has a business relationship concerning the supply of milk shall produce to an officer duly authorised by the Secretary of State in that behalf such information or evidence, in the form of documents or otherwise, as the officer may specify as being reasonably needed in connection with verifying the amount to be reimbursed under regulation 15.

(2) An officer to whom a person is required pursuant to paragraph (1), to produce information or evidence shall produce to that person if required to do so, his authority from the Secretary of State.

(3) Where documents specified by an authorised officer pursuant to paragraph (1) are produced—

(a) he may take copies of them or extracts from them, and

(b) he may require the person producing them, or where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of them.

(4) Where documents specified by an authorised officer pursuant to paragraph (1) are not produced, he may require the person who was required to produce them to state, to the best of his knowledge and belief, where they are.

(5) A person who is required to provide an explanation under paragraph (3) or to make any statement under paragraph (4) shall comply with the requirement.



### **Application of enactments**

**18.** The enactments relating to the administration of benefit under the Social Security Act 1975 specified in Column 1 of Schedule 6 shall have effect for the purpose of the administration of the scheme made by these Regulations, subject to the modifications set out in Column 2 of that Schedule.

### **Acts on behalf of beneficiaries who are children**

**19.** Where any provision in these Regulations requires or enables anything to be done by or in respect of a beneficiary and that beneficiary is either a child who has not attained the age of 5 years or a handicapped child, the provision shall, unless the context otherwise requires, be deemed to refer to one of his parents or his guardian or the person having custody of him.

### **Northern Ireland tokens to be valid in Great Britain**

**20.** Any token issued by the Department of Health and Social Services in Northern Ireland shall be valid in Great Britain as if it had been issued by the Secretary of State under these Regulations.

### **Transitional provisions**

**21.—(1)** Any token issued for the purposes of enabling a person to obtain welfare milk under Article 4 of the Welfare Food Order 1980<sup>(10)</sup> may be used as though it were a milk token issued to him under these Regulations; and a supplier may be reimbursed in respect of milk supplied (whether before, on or after 11th April 1988) against the token as though it were a milk token issued under these Regulations.

(2) Any token issued for the purposes of enabling a person to obtain welfare food under Article 5 of the Welfare Food Order 1980 may be used at a clinic to obtain free vitamins as though that person were a beneficiary under these Regulations.

(3) A person who has made an application under Article 7 of the Welfare Food Order before 11th April 1988 may be issued with tokens on or after that date but in respect of a period before that date as though that Order remained in force.

(4) Any approval given by the Secretary of State in respect of a person or premises before 11th April 1988 for the purposes of Article 6 of the Welfare Food Order 1980 shall be treated as approval given under regulation 4(4) to that person or to the person receiving children at those premises for the purposes both of the supply of milk or dried milk and of reimbursement in respect of milk or dried milk supplied (whether before, on or after 11th April 1988) pursuant to arrangements made with the Secretary of State.

18th March 1988

*John Moore*  
One of Her Majesty's Principal Secretaries of  
State

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Regulation 2(1)

## DRIED MILK SPECIFIED FOR THE PURPOSE OF THE REGULATIONS

Dried Milk (1)	Manufacturer (2)
Aptamil	Milupa Ltd
Cow and Gate Plus	Cow and Gate Ltd
Cow and Gate Premium	Cow and Gate Ltd
Milumil	Milupa Ltd
Osterfeed	Farley Health Products Ltd
Ostermilk Complete Formula	Farley Health Products Ltd
Ostermilk Two	Farley Health Products Ltd
SMA	John Wyeth and Brother Ltd
SMA Gold Cap	John Wyeth and Brother Ltd

## SCHEDULE 2

Regulation 3(5)

## ENTITLEMENT TO VITAMINS

Column 1 Category of beneficiary	Column 2 Entitlement
1. Child under 5	2 × 10 millilitre bottles of vitamin drops every 13 weeks
2. Nursing mother	5 × 45 tablet containers
3. Expectant mother	2 × 45 tablet containers every 13 weeks for duration of pregnancy.

## SCHEDULE 3

Regulation 4

APPLICATIONS FOR APPROVAL AND REIMBURSEMENT  
—MILK AND DRIED MILK FOR CHILDREN IN DAY CARE

*Information to be provided on application for approval*

- (a) (a) Full name of applicant;
- (b) address where children are to be cared for;
- (c) name and address of person to whom correspondence is to be sent;
- (d) number of day care sessions each day and the duration of each session;
- (e) number of children likely to be cared for at each session.

*Information to be provided on application for reimbursement*

- (a) (a) Full name of person claiming reimbursement;
- (b) address where children are cared for;
- (c) name and address of person to whom payment is to be made;
- (d) period of claim;
- (e) number of children cared for on each day during period of claim;
- (f) number of sessions each day;
- (g) the quantity, price and total cost of milk and dried milk consumed each month for the period of the claim.

SCHEDULE 4

Regulation 7(4)

INFORMATION TO ACCOMPANY OR BE INCLUDED IN APPLICATIONS  
FOR MILK TOKENS IN THE CASE OF A HANDICAPPED CHILD

1. Forenames and surname and address, including postcode, of person responsible for the care of the handicapped child (“the child”).
2. Forenames and surname and address including postcode, of the child.
3. The date of birth of the child.
4. The name and address in England or Wales of the child’s local education authority, or in Scotland of the child’s education authority.
5. Whether or not the child is, in England or Wales a registered pupil or, in Scotland, a pupil at a school or special school.

SCHEDULE 5

Regulation 15

SUBMISSION OF TOKENS TO SECRETARY OF STATE FOR REIMBURSEMENT

- 1.—(1) In respect of each claim at a particular approved price the supplier shall—
  - (a) complete a form containing the information specified in paragraph 2 and a declaration that the information supplied is correct and complete;
  - (b) send the form, the statement and the relevant milk tokens to the Secretary of State.
- (2) The form referred to in sub-paragraph (1)(a) shall be signed by or on behalf of the supplier.
2. The information referred to in paragraph 1(1) is—
  - (1) The name and address of the supplier;
  - (2) the number of milk tokens enclosed for reimbursement;
  - (3) the earliest and the latest date shown on each of those milk tokens;
  - (4) the approved price of the milk in either pence per pint or pence per half litre supplied in exchange for each of those milk tokens.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 6

Regulation 18

## ENACTMENTS APPLIED FOR THE PURPOSES OF THESE REGULATIONS

Column 1 Enactment	Column 2 Modifications
Section 54(1) of the Social Security Act 1986 (breach of regulations)	For “any of the benefit Acts” substitute “section 13 of the Social Security Act 1988” and for “that Act”, in each place where it occurs, substitute “that section”.
Section 55 of that Act (false representations for obtaining benefit)	In subsection (1), for “benefit or other payment under any of the benefit Acts” substitute “welfare food or payment under a scheme made for the purposes of section 13 of the Social Security Act 1988” and for “of those Acts” substitute “any such scheme”.
Section 56(1), (2)(a), (3)(a) and (5) of that Act (legal proceedings)	For “under the benefit Acts”, where it occurs in subsections (1), (2)(a) and (5)(a), substitute “under section 55 of this Act or under section 13 of the Social Security Act 1988”.
Section 57 of that Act (offences by bodies corporate)	For “under any of the benefit Acts” substitute, “section 55 of this Act or under section 13 of the Social Security Act 1988”.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations replace the existing scheme for the distribution of welfare foods in Great Britain. That scheme had effect by virtue of orders made under the Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60) which is repealed on the 11th April 1988.

The principal matters dealt with in the Regulations are—

- (1) a description of those entitled to free milk or dried milk in exchange for milk tokens and the amount of that entitlement (regulation 3(1) and (4) and Schedule 1);
- (2) a description of those entitled to purchase at clinics dried milk at a reduced price and the amount of that entitlement (regulation 5);
- (3) a description of those entitled to obtain free vitamins from clinics and the amount of that entitlement (regulation 3(2), (3) and (5) and Schedule 2);
- (4) a provision for additional entitlement to free milk or dried milk for children under 5 in certain types of day care (regulation 4);
- (5) the method of obtaining and using milk tokens, the period of their validity (regulations 7 and 8 and Schedule 4), and incidental matters concerning milk tokens (regulation 16);

(6) the arrangements by which persons who supply milk in exchange for milk tokens may obtain reimbursement from the Secretary of State (regulation 15 and Schedule 5) and incidental obligations on suppliers and beneficiaries concerning milk tokens (regulations 12, 13 and 14);

(7) provision for the payment of compensation by the Secretary of State to beneficiaries and other persons unable to receive their entitlement to milk, dried milk or vitamins under the scheme because of an act or omission on the part of the Secretary of State (regulations 9, 10 and 11);

(8) restrictions on the use of welfare food by persons not entitled to consume it (regulation 6);

(9) the application of enactments concerning criminal offences (regulation 18 and Schedule 6);

(10) requirements to produce documents to a person authorised by the Secretary of State (regulation 17).

The Regulations also contain transitional arrangements for the introduction of this scheme (regulation 22).