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STATUTORY INSTRUMENTS

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**1993 No. 965**

**SOCIAL SECURITY**

**The Child Benefit and Social Security  
(Miscellaneous Amendments) Regulations 1993**

*Made* - - - - *30th March 1993*

*Coming into force* - - *12th April 1993*

Whereas a draft of this instrument was laid before Parliament in accordance with section 176(1) of the Social Security Contributions and Benefits Act 1992 and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Social Security, in conjunction with the Treasury<sup>(1)</sup> and in exercise of the powers conferred on him by sections 145, 147(1) and 175(1) to (3) of the Social Security Contributions and Benefits Act 1992<sup>(2)</sup>, sections 73(1)(a) and 189(1), (3) and (4) of the Social Security Administration Act 1992<sup>(3)</sup> and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals in respect of these Regulations should not be referred to it<sup>(4)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations, which may be cited as the Child Benefit and Social Security (Miscellaneous Amendments) Regulations 1993, shall come into force on 12th April 1993.

**Amendment of regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations**

2.—(1) Regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976 (weekly rates of child benefit)<sup>(5)</sup> shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (2)—

(a) for the words “paragraph (2A)” there shall be substituted the words “paragraphs (2A) and (4)”;

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(1) See section 145(5) of the Social Security Contributions and Benefits Act 1992 (c. 4).

(2) 1992 c. 4; section 147(1) is an interpretation provision and is cited because of the meaning assigned to the word “prescribed”.

(3) 1992 c. 5.

(4) See the Social Security Administration Act 1992, section 173(1)(b).

(5) S.I. 1976/1267; relevant amending instruments are S.I. 1977/1328, 1980/110 and 1991/502.

- (b) the words “, subject to the conditions mentioned in paragraph (4) of this regulation,” shall be omitted.
- (3) For sub-paragraph (a) of paragraph (4) there shall be substituted the following sub-paragraph—
- “(a) an allowance or an increase of a benefit, pension or allowance which for the purpose of paragraph (5) of this regulation is a “specified benefit”, is paid to a person in respect of any week for or in respect of the only, elder or eldest child in respect of whom that person is entitled to child benefit for that week, then paragraph (2) of this regulation shall not apply; and”.
- (4) In paragraph (5)(a)(i) the words “, guardian’s allowance under section 38”(6) shall be omitted.

### **Amendment of regulation 8 of the Social Security (Overlapping Benefits) Regulations**

**3.—**(1) Regulation 8 of the Social Security (Overlapping Benefits) Regulations 1979 (child benefit)(7) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (2) at the beginning there shall be inserted the words “Subject to paragraph (7) of this regulation,”.

(3) After paragraph (6)(8) there shall be added the following paragraph—

“(7) No adjustment of benefit under paragraph (2) of this regulation shall be made in respect of guardian’s allowance payable to any person under section 77 of the Contributions and Benefits Act.”.

Signed by authority of the Secretary of State for Social Security.

29th March 1993

*Alistair Burt*  
Parliamentary Under-Secretary of State,  
Department of Social Security

We consent,

30th March 1993

*T. J. Wood*  
*Greg Knight*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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(6) Section 38 of the Social Security Act 1975 (c. 61) was repealed by section 3 of, and Schedule 1 to, the Social Security (Consequential Provisions) Act 1992 (c. 6) and replaced by section 77 of the Social Security Contributions and Benefits Act 1992 (c. 4).

(7) S.I. 1979/597; relevant amending instruments are S.I. 1991/547 and 1992/589 and 3194.

(8) Paragraph (6) was added by S.I. 1992/589.

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## EXPLANATORY NOTE

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

These Regulations further amend the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations 1976 (S.I. 1976/1267) (“the 1976 Regulations”) and the Social Security (Overlapping Benefits) Regulations 1979 (S.I. 1979/597).

The 1976 Regulations provide for an increase in the weekly rate of child benefit for single parents. A person is disentitled to that increase if he is entitled to one of certain specified benefits, whether or not the specified benefit is in payment. Regulation 2 of these Regulations amends the 1976 Regulations so that a person is instead disentitled to that increase if one of the specified benefits is paid to him. Regulation 2 also removes guardian’s allowance from the list of specified benefits.

Regulation 3 amends regulation 8 of the Social Security (Overlapping Benefits) Regulations 1979 by providing that there shall be no adjustment of guardian’s allowance in respect of any increase in the weekly rate of child benefit for single parents.