

2006 No. 222

TAX CREDITS

The Child Tax Credits (Amendment) Regulations 2006

Made - - - - *2nd February 2006*

Laid before Parliament *3rd February 2006*

Coming into force - - *6th April 2006*

The Treasury, in exercise of the powers conferred by section 8, 65(1) and 67 of the Tax Credits Act 2002(a), make the following Regulations:

Citation, commencement and transitional provisions

1.—(1) These Regulations may be cited as the Child Tax Credit (Amendment) Regulations 2006 and shall come into force on 6th April 2006.

(2) A person aged 19 or over on 6th April 2006 is not a qualifying young person, regardless of the amendments made by the following provisions of these Regulations to the Child Tax Credit Regulations 2002(b).

Amendment of the Child Tax Credit Regulations 2002

2. The Child Tax Credit Regulations 2002 are amended as follows.

3.—(1) Amend regulation 2 (interpretation) as follows.

(2) After the definition of “advanced education” insert—

““approved training” has the meaning given by regulation 1(3) of the Child Benefit (General) Regulations 2006(c);”.

(3) In the definition of “the Board” for “of Inland Revenue” substitute “for Her Majesty’s Revenue and Customs”.

(4) In paragraph (a) of the definition of “qualifying young person” for “nineteen” substitute “twenty”.

(5) Omit the definition of “relevant training programme”.

4.—(1) Amend regulation 5 (maximum age and prescribed conditions) as follows.

(2) In paragraph (1) for “nineteen” substitute “twenty”.

(3) In paragraph (2) for “nineteen” substitute “twenty”.

(4) In paragraph (3)—

(a) in the words before sub-paragraph (a) omit “either”;

(a) 2002 c.21. Section 67 is cited because of the meaning ascribed to “prescribed”.

(b) S.I. 2002/2007: the relevant amending instrument is S.I. 2003/738.

(c) S.I. 2006/xxxx.

- (b) at the end of sub-paragraph (a) omit “or”;
 - (c) after sub-paragraph (a) insert—
 - “(ab) undertaking approved training which is not provided to him by virtue of his employment or any office held by him; or”
 - (d) in sub-paragraph (b)—
 - (i) for paragraph (i) substitute—
 - “(i) he ceased to receive full-time education or to undertake approved training (the date of that event being referred to as “the relevant leaving date”);”
 - (ii) in paragraph (ii) for “date of leaving education” substitute “relevant leaving date”; and
 - (iii) in paragraph (iii) for “date of leaving education” substitute “relevant leaving date”.
 - (5) After paragraph (3) insert—
 - “(3A) A person who has attained the age of nineteen years satisfies paragraph (3)(a) or (ab) only where the course of education or training began before he attained that age.”.
 - (6) In paragraph (4)—
 - (a) in sub-paragraph (a) —
 - (i) after “education” insert “or approved training”;
 - (ii) after “remunerative work;” insert “or”; and
 - (b) omit sub-paragraph (b).
 - (7) After paragraph (6)—
 - “(7) In determining whether a person is undertaking a course of full-time education or approved training, there shall be disregarded any interruption—
 - (a) for a period of up to 6 months, whether beginning before or after the person concerned attains age 16, to the extent that it is reasonable in the opinion of the Board to do so; and
 - (b) for any period due to illness or disability of the mind or body of the person concerned provided that it is reasonable in the opinion of the Board to do so.”.
5. In regulation 6 for “nineteen” substitute “twenty”.

*Gillian Merron
Vernon Coaker*

2nd February 2006

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Child Tax Credit Regulations 2002 (S.I. 2002/2007).

Regulation 1 provides for the citation and commencement of the instrument and includes a transitional provision, whose effect is to prevent a person aged 19 or over from becoming a qualifying young person by virtue of the amendments.

Regulations 2 to 5 amend the 2002 Regulations. They align the treatment of qualifying young persons for the purposes of the 2002 Regulations with that contained in the Child Benefit (General) Regulations 2006.

These Regulations do not impose new costs on business.