
STATUTORY INSTRUMENTS

1992 No. 2977

**The National Assistance (Assessment
of Resources) Regulations 1992**

**PART V
STUDENTS**

Interpretation

35. In this Part, unless the context otherwise requires—

“access income” means a payment derived from funds made available by the Secretary of State for the purpose of assisting students in financial difficulties under section 100 of the Education Act 1944⁽¹⁾, sections 131 and 132 of the Education Reform Act 1988⁽²⁾ or section 73 of the Education (Scotland) Act 1980⁽³⁾;

“contribution”, “covenant income” and “education authority” have the meanings prescribed in regulation 61 of the Income Support Regulations⁽⁴⁾ (interpretation);

“grant income” means any income by way of any educational grant or award including any contribution (whether paid by covenant or otherwise), except access income;

“standard maintenance grant” has the meaning prescribed in regulation 61 of the Income Support Regulations;

“student loan” means a loan which is made to a student pursuant to arrangements made under one of the provisions specified in regulation 66A(1) of the Income Support Regulations⁽⁵⁾ (treatment of student loans).

Calculation of grant income

36.—(1) The amount of a student’s grant income to be taken into account shall be the amount of standard maintenance grant included in his grant income and the local authority shall disregard the difference between that amount and the whole of his grant income.

(2) The amount to be taken into account shall be apportioned—

- (a) in a case where it is attributable to a period of study, equally between the weeks in that period;
- (b) in any other case, equally between the weeks of the period in respect of which it is payable.

(1) 1944 c. 31.

(2) 1988 c. 40.

(3) 1980 c. 44.

(4) As amended by regulation 14 of S.I. 1988/2022.

(5) Regulation 66A of the Income Support Regulations was inserted by regulation 5(7) of S.I. 1990/1549, and paragraph (1) was amended by regulation 9 of S.I. 1991/236.

Covenant income where there is no grant income

37.—(1) Where a student is not in receipt of any grant income, the amount of covenant income to be taken into account shall be the amount of standard maintenance grant which, had the student been in receipt of a standard maintenance grant, would have been taken into account under regulation 36(1) (calculation of grant income) and the local authority shall disregard the difference between that amount and the total amount of his covenant income.

(2) The amount to be taken into account shall be apportioned equally between the weeks of the period in respect of which it is payable.

Relationship with amounts disregarded under Schedule 3

38. No part of a student's covenant income or grant income shall be disregarded under paragraph 10 of Schedule 3 (charitable or voluntary payments).

Treatment of student loans

39. Student loans shall be treated in accordance with regulation 66A of the Income Support Regulations(6) (treatment of student loans).

Treatment of access income

40.—(1) Access income paid or due to be paid at regular intervals shall be treated as income other than earnings for the purposes of Part II (treatment of income) and as a voluntary payment for the purposes of paragraph 10 of Schedule 3 (charitable or voluntary payments).

(2) Access income not paid or due to be paid at regular intervals shall be treated as capital for the purposes of Part III (treatment of capital).

(6) Regulation 66A(2) of the Income Support Regulations was amended by regulation 12 of S.I. [1991/1559](#).