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STATUTORY INSTRUMENTS

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**2007 No. 1632**

**SOCIAL SECURITY**

**The Social Security (Students and Income-related Benefits) Amendment Regulations 2007**

*Made* - - - - *7th June 2007*  
*Laid before Parliament* *13th June 2007*  
*Coming into force in accordance with regulation 1*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 123(1)(a), (d) and (e), 136(3) and (5)(b), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(1) and sections 12(1) and (4)(b), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(2).

In respect of the provisions in these Regulations relating to housing benefit and council tax benefit, the Secretary of State has consulted the organisations appearing to him to be representative of the authorities concerned(3).

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it(4).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Students and Income-related Benefits) Amendment Regulations 2007.

(2) This regulation shall come into force on 1st August 2007.

(3) Regulations 2 to 5 shall come into force—

(a) in the case of a person whose period of study begins on or after 1st August 2007 but before 1st September 2007, on the day the period of study begins; and

(b) in any other case, on 1st September 2007.

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- (1) [1992 c.4](#). Section 123(1)(e) was substituted by paragraph 1(1) of Schedule 9 to the Local Government Finance Act [1992 \(c.14\)](#). Section 137(1) is an interpretation provision and is cited because of the meaning there given to the word “prescribed”. Section 175(1) and (4) was amended by section 2 of, and paragraph 29(1) and (2) of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc) Act [1999 \(c.2\)](#).
- (2) [1995 c.18](#). Section 35(1) is an interpretation provision and is cited because of the meaning given to the words “prescribed” and “regulations”. Sections 35(1) and 36(4) were amended by section 2 of, and paragraphs 62 and 63 respectively of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc) Act 1999.
- (3) See section 176(1) of the Social Security Administration Act [1992 \(c.5\)](#).
- (4) See sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992.

(4) In paragraph (3), “period of study” has the same meaning as in regulation 61 of the Income Support (General) Regulations 1987<sup>(5)</sup>.

### **Amendment of the Income Support Regulations**

2.—(1) The Income Support (General) Regulations 1987 are amended as follows.

- (2) In regulation 62(2A)<sup>(6)</sup> (calculation of grant income)—
- (a) in sub-paragraph (a), for “£285” substitute “£290 per academic year”;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.
- (3) In regulation 66A(5)<sup>(7)</sup> (treatment of student loans)—
- (a) in sub-paragraph (a), for “£285” substitute “£290 per academic year”;
  - (b) in sub-paragraph (b) for “£361” substitute “£370 per academic year”.

### **Amendment of the Jobseeker’s Allowance Regulations**

3.—(1) The Jobseeker’s Allowance Regulations 1996<sup>(8)</sup> are amended as follows.

- (2) In regulation 131(3)<sup>(9)</sup> (calculation of grant income)—
- (a) in sub-paragraph (a), for “£285” substitute “£290 per academic year”;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.
- (3) In regulation 136(5)<sup>(10)</sup> (treatment of student loans)—
- (a) in sub-paragraph (a), for “£285” substitute “£290” per academic year”;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.

### **Amendment of the Housing Benefit Regulations**

4.—(1) The Housing Benefit Regulations 2006<sup>(11)</sup> are amended as follows.

- (2) In regulation 59(3)<sup>(12)</sup> (calculation of grant income)—
- (a) in sub-paragraph (a), for “£285” substitute “£290 per academic year”;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.
- (3) In regulation 64(5)<sup>(13)</sup> (treatment of student loans)—
- (a) in sub-paragraph (a), for “£285” substitute “£290 per academic year”;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.

### **Amendment of the Council Tax Benefit Regulations**

5.—(1) The Council Tax Benefit Regulations 2006<sup>(14)</sup> are amended as follows.

- (2) In regulation 46(3)<sup>(15)</sup> (calculation of grant income)—

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(5) [S.I. 1987/1967](#).

(6) Paragraph (2A) was inserted by [S.I. 1992/468](#) and amended by [S.I. 1999/1935](#), [2001/2319](#) and [2006/1752](#).

(7) Regulation 66A was inserted by [S.I. 1990/1549](#); relevant amending instruments are [S.I. 1999/1935](#), [2001/2319](#) and [2006/1752](#).

(8) [S.I. 1996/207](#).

(9) Paragraph (3) was substituted by [S.I. 1999/1935](#) and amended by [S.I. 2001/2319](#) and [2006/1752](#).

(10) Paragraph (5) was substituted by [S.I. 1999/1935](#) and amended by [S.I. 2001/2319](#) and [2006/1752](#).

(11) [S.I. 2006/213](#).

(12) As amended by [S.I. 2006/1752](#).

(13) As amended by [S.I. 2006/1752](#).

(14) [S.I. 2006/215](#).

(15) As amended by [S.I. 2006/1752](#).

- (a) in sub-paragraph (a), for “£285” substitute “£290 per academic year”;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.
- (3) In regulation 51(5)(**16**) (treatment of student loans)—
- (a) in sub-paragraph (a), for “£285” substitute “£290” per academic year;
  - (b) in sub-paragraph (b), for “£361” substitute “£370 per academic year”.

Signed by authority of the Secretary of State for Work and Pensions.

7th June 2007

*James Plaskitt*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

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

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## EXPLANATORY NOTE

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

These Regulations further amend the Income Support (General) Regulations 1987 (S.I. 1987/1967), the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), the Housing Benefit Regulations 2006 (S.I. 2006/213) and the Council Tax Benefit Regulations 2006 (S.I. 2006/215) in so far as they relate to students and sums to be disregarded in the calculation of their entitlement to benefit.

The amendments increase the amounts of grant and loan income to be disregarded in respect of travel costs and the costs of books and equipment. They also clarify that the disregards apply only once in every academic year.

A regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.