
STATUTORY INSTRUMENTS

1987 No. 1967

The Income Support (General) Regulations 1987

PART V

INCOME AND CAPITAL

CHAPTER VIII

[^{F1}STUDENTS]

[^{F1}Treatment of student loans [^{F2}and postgraduate ^{F3}... loans]

[^{F4}66A.—(1) A student loan [^{F5}and a postgraduate ^{F6}... loan] shall be treated as income^{F7}...].

^{F8}(1A)

[^{F9}(2) In calculating the weekly amount of the loan to be taken into account as income—

[^{F10}(a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period shall be apportioned equally between the weeks in the period beginning with—

(i) except in a case where (ii) below applies, the benefit week, the first day of which coincides with, or immediately follows, the first day of the single academic year;

(ii) where the student is required to start attending the course in August or where the course is of less than an academic year's duration, the benefit week, the first day of which coincides with, or immediately follows, the first day of the course,

and ending with the benefit week, the last day of which coincides with, or immediately precedes, the last day of the course;]

[^{F11}(aa) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year shall be apportioned equally between the weeks in the period beginning with the benefit week[^{F12}, the first day of which coincides with, or immediately follows, the first day of that academic year and ending with the benefit week, the last day of which coincides with, or immediately precedes,] the last day of that academic year but excluding any benefit weeks falling entirely within the quarter during which, in the opinion of the Secretary of State, the longest of any vacation is taken and for the purposes of this sub-paragraph, "quarter" shall have the same meaning as for the purposes of the Education (Student Support) Regulations 2001;]

(b) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year shall be apportioned equally between the weeks in the period beginning with^{F13}...—

[^{F14}(i) except in a case where (ii) below applies, the benefit week, the first day of which coincides with, or immediately follows, the first day of that academic year;]

[^{F14}(ii) where the final academic year starts on 1st September, the benefit week, the first day of which coincides with, or immediately follows, the earlier of 1st September or the first day of the autumn term;]

and ending with [^{F15}the benefit week, the last day of which coincides with, or immediately precedes,] the last day of the course;

(c) in any other case, the loan shall be apportioned equally between the weeks in the period beginning with the earlier of—

(i) the first day of the first benefit week in September; or

(ii) [^{F16}the benefit week, the first day of which coincides with, or immediately follows, the first day of the autumn term,]

and ending with [^{F17}the benefit week, the last day of which coincides with, or immediately precedes, the last day of June],

and, in all cases, from the weekly amount so apportioned there shall be disregarded £10.]

[^{F18}(3) A student shall be treated as possessing a student loan [^{F19}or a postgraduate ^{F20}... loan] in respect of an academic year where—

(a) a student loan [^{F19}or a postgraduate ^{F20}... loan] has been made to him in respect of that year; or

(b) he could acquire [^{F21}a student loan or a postgraduate ^{F20}... loan] in respect of that year by taking reasonable steps to do so.]]

[^{F18}(4) Where a student is treated as possessing a student loan under paragraph (3), the amount of the student loan to be taken into account as income shall be, subject to paragraph (5)—

(a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so and either—

(i) in the case of a student other than one to whom head (ii) refers, any contribution whether or not it has been paid to him; or

(ii) in the case of a student to whom paragraph 1, 2, ^{F22}... 11 [^{F23}, ^{F22}... or 15A of Schedule 1B applies (lone parent, disabled student or persons in education)], any contribution which has actually been paid to him;

(b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if—

(i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and

(ii) no deduction in that loan was made by virtue of the application of a means test.]

[^{F24}(4A) Where a student is treated as possessing a postgraduate ^{F25}... loan under paragraph (3) in respect of an academic year, the amount of that loan to be taken into account as income shall be, subject to paragraph (5), a sum equal to 30 per cent. of the maximum postgraduate ^{F25}... loan the student is able to acquire in respect of that academic year by taking reasonable steps to do so.]

[^{F18}(5) There shall be deducted from the amount of income taken into account under paragraph (4) [^{F26}or (4A)] —

(a) the sum of [^{F27}£303] per academic year in respect of travel costs; and

[^{F28}(b) the sum of [^{F29}£390] per academic year towards the costs of books and equipment,] whether or not any such costs are incurred.]

Textual Amendments

- F1** Reg. 66A inserted (1.9.1990) by The Social Security Benefits (Student Loans and Miscellaneous Amendments) Regulations 1990 (S.I. 1990/1549), regs. 1(1)(a), **5(7)** (with reg. 7(1))
- F2** Words in reg. 66A heading added (4.8.2016) by The Social Security (Treatment of Postgraduate Master's Degree Loans and Special Support Loans) (Amendment) Regulations 2016 (S.I. 2016/743), regs. 1, **2(4)(a)**
- F3** Words in reg. 66A heading omitted (15.7.2020) by virtue of The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **2(8)(a)**
- F4** Reg. 66A(1)(1A) substituted for reg. 66A(1) (for specified purposes and with effect in accordance with reg. 1(b)(i)(ii) of the amending S.I.) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2000 (S.I. 2000/1922), regs. 1, **2(5)(a)**
- F5** Words in reg. 66A(1) inserted (4.8.2016) by The Social Security (Treatment of Postgraduate Master's Degree Loans and Special Support Loans) (Amendment) Regulations 2016 (S.I. 2016/743), regs. 1, **2(4)(b)**
- F6** Words in reg. 66A(1) omitted (15.7.2020) by virtue of The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **2(8)(b)**
- F7** Words in reg. 66A(1) omitted (17.11.2008) by virtue of The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **2(10)(a)**
- F8** Reg. 66A(1A) omitted (17.11.2008) by virtue of The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **2(10)(b)**
- F9** Reg. 66A(2) substituted (for specified purposes and with effect in accordance with reg. 1(b)(i)(ii) of the amending S.I.) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2000 (S.I. 2000/1922), regs. 1, **2(5)(b)**
- F10** Reg. 66A(2)(a) substituted (1.8.2002, 26.8.2002 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(2)(6)(c)**
- F11** Reg. 66A(2)(aa) inserted (1.8.2001, 27.8.2001 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2001 (S.I. 2001/2319), regs. 1(1)(b)(c), **4**
- F12** Words in reg. 66A(2)(aa) substituted (1.8.2002, 26.8.2002 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(3)(6)(c)**
- F13** Words in reg. 66A(2)(b) omitted (1.8.2002, 26.8.2002 in so far as not already in force) by virtue of The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(4)(a)(6)(c)**
- F14** Reg. 66A(2)(b)(i)(ii) substituted (1.8.2002, 26.8.2002 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(4)(b)(6)(c)**
- F15** Words in reg. 66A(2)(b) substituted (1.8.2002, 26.8.2002 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(4)(c)(6)(c)**
- F16** Reg. 66A(2)(c)(ii) substituted (1.8.2002, 26.8.2002 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(5)(a)(6)(c)**
- F17** Words in reg. 66A(2)(c) substituted (1.8.2002, 26.8.2002 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2002 (S.I. 2002/1589), regs. 1(1)(b), **5(5)(b)(6)(c)**
- F18** Reg. 66A(3)-(5) substituted for reg. 66A(3) (with effect in accordance with reg. 1(1)(b) of the amending S.I.) by The Social Security Amendment (Students) Regulations 1999 (S.I. 1999/1935), regs. 1(1)(b), **3(5)(b)**

- F19** Words in reg. 66A(3) inserted (4.8.2016) by The Social Security (Treatment of Postgraduate Master's Degree Loans and Special Support Loans) (Amendment) Regulations 2016 (S.I. 2016/743), regs. 1, **2(4)(c)(i)**
- F20** Words in reg. 66A(3) omitted (15.7.2020) by virtue of The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **2(8)(c)**
- F21** Words in reg. 66A(3)(b) substituted (4.8.2016) by The Social Security (Treatment of Postgraduate Master's Degree Loans and Special Support Loans) (Amendment) Regulations 2016 (S.I. 2016/743), regs. 1, **2(4)(c)(ii)**
- F22** Words in reg. 66A(4)(a)(ii) omitted (30.12.2009) by virtue of The Income Support (Prescribed Categories of Person) Regulations 2009 (S.I. 2009/3152), regs. 1, **3(2)(d)** (with reg. 3(7))
- F23** Words in reg. 66A(4)(a)(ii) substituted (6.4.2009) by The Social Security (Miscellaneous Amendments) Regulations 2009 (S.I. 2009/583), regs. 1(2), **2(11)**
- F24** Reg. 66A(4A) inserted (4.8.2016) by The Social Security (Treatment of Postgraduate Master's Degree Loans and Special Support Loans) (Amendment) Regulations 2016 (S.I. 2016/743), regs. 1, **2(4)(d)**
- F25** Words in reg. 66A(4A) omitted (15.7.2020) by virtue of The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **2(8)(d)**
- F26** Words in reg. 66A(5) inserted (4.8.2016) by The Social Security (Treatment of Postgraduate Master's Degree Loans and Special Support Loans) (Amendment) Regulations 2016 (S.I. 2016/743), regs. 1, **2(4)(e)**
- F27** Word in reg. 66A(5)(a) substituted (for specified purposes and, 1.9.2009 in so far as not already in force) by The Social Security (Students and Miscellaneous Amendments) Regulations 2009 (S.I. 2009/1575), reg. 1(3), **reg. 2(2)(4)(a)**
- F28** Reg. 66A(5)(b) substituted (1.8.2001, 27.8.2001 in so far as not already in force) by The Social Security Amendment (Students and Income-related Benefits) Regulations 2001 (S.I. 2001/2319), regs. 1(1)(b)(c), **3(2)(3)(c)**
- F29** Word in reg. 66A(5)(b) substituted (for specified purposes and, 1.9.2009 in so far as not already in force) by The Social Security (Students and Miscellaneous Amendments) Regulations 2009 (S.I. 2009/1575), reg. 1(3), **reg. 2(3)(4)(a)**

Modifications etc. (not altering text)

- C1** Reg. 66A applied (with modifications) (1.9.2006) by S.I. 2003/2382 (as amended (E.) by The National Health Service (Travel Expenses and Remission of Charges) Amendment (No.2) Regulations 2006 (S.I. 2006/2171), regs. 1(1), **2(3)**)
- C2** Reg. 66A applied (with modifications) (18.10.2006) by S.I. 1988/551 (as amended by The National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2791), regs. 1(1), **2(3)**)
- C3** Reg. 66A applied (with modifications) (1.7.2008) by W.S.I. 2007/1104 (as amended (W.) by The National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) Regulations 2008 (S.I. 2008/1480), regs. 1(2), **2(4)**)
- C4** Reg. 66A applied (with modifications) (1.8.2008) by S.I. 2003/2382 (as amended (E.) by The National Health Service (Charges for Drugs and Appliances) and (Travel Expenses and Remission of Charges) Amendment (No.2) Regulations 2008 (S.I. 2008/1697), regs. 1(1), **5(2)**)
- C5** Reg. 66A applied (with modifications) (1.8.2009) by S.I. 2003/2382 (as amended (E.) by The National Health Service (Travel Expenses and Remission of Charges) Amendment Regulations 2009 (S.I. 2009/1599), regs. 1, **2(2)**)
- C6** Reg. 66A applied (with modifications) (28.9.2009) by S.I. 2007/1104 (as amended (W.) by The National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) (No.3) Regulations 2009 (S.I. 2009/2365), regs. 1(1), **2(2)**)
- C7** Reg. 66A applied (with modifications) (1.8.2010) by S.I. 2003/2382, Sch. 1 Table A (as amended (E.) by The National Health Service (Charges for Drugs and Appliances) and (Travel Expenses and Remission of Charges) Amendment Regulations 2010 (S.I. 2010/1727), regs. 1, **3(3)**)

- C8** Reg. 66A applied (with modifications) (1.8.2013) by S.I. 2003/2382 (as amended (E.) by The National Health Service (Travel Expenses and Remission of Charges) (Amendment) Regulations 2013 (S.I. 2013/1600), regs. 1(2), **2(b)**)
- C9** Reg. 66A applied (with modifications) (14.12.2013) by S.S.I. 2003/460 (as amended (S.) by The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Amendment Regulations 2013 (S.S.I. 2013/327), regs. 1(1), **2(3)**)
- C10** Reg. 66A applied (with modifications) (1.12.2016) by S.I. 2003/2382 (as amended (E.) by The National Health Service (Exemptions from Charges, Payments and Remission of Charges) (Amendment and Transitional Provisions) Regulations 2016 (S.I. 2016/1045), regs. 1(1), **2(4)(b)** (with regs. 5, 6))
- C11** Reg. 66A applied (with modifications) (1.4.2017) by S.S.I. 2003/460 (as amended (S.) by The National Health Service (Payments and Remission of Charges) (Miscellaneous Amendments) (Scotland) Regulations 2017 (S.S.I. 2017/59), regs. 1(1), **3(4)(b)** (with reg. 6))

Changes to legislation:

There are currently no known outstanding effects for the The Income Support (General) Regulations 1987, Section 66A.