

## SCHEDULE 1

### CALCULATION OF N AND M

#### PART III

##### OTHER INCOME

**8.** The amount of the other income to be taken into account in calculating or estimating N and M shall be the aggregate of the following amounts determined in accordance with this Part.

**9.** Any periodic payment of pension or other benefit under an occupational or personal pension scheme or a retirement annuity contract or other such scheme for the provision of income in retirement.

**10.** Any payment received on account of the provision of board and lodging which does not come within Part I of this Schedule.

**11.** Subject to regulation 7(3)(b) and paragraph 12, any payment to a student of—

- (a) grant;
- (b) an amount in respect of grant contribution;
- (c) covenant income except to the extent that it has been taken into account under sub-paragraph (b);
- (d) a student loan.

**12.** The income of a student shall not include any payment—

- (a) intended to meet tuition fees or examination fees;
- (b) intended to meet additional expenditure incurred by a disabled student in respect of his attendance on a course;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;
- (e) intended to meet the cost of books, and equipment (other than special equipment) or, if not so intended, an amount equal to the amount allowed under regulation 38(2)(f) of the Family Credit (General) Regulations 1987(1) towards such costs;
- (f) intended to meet travel expenses incurred as a result of his attendance on the course.

**13.** Any interest, dividend or other income derived from capital.

**14.** Any maintenance payments in respect of a parent.

**15.** Any other payments or other amounts received on a periodical basis which are not otherwise taken into account under Part I, II, IV or V of this Schedule.

**16.—(1)** Subject to sub-paragraphs (2) to (6) the amount of any income to which this Part applies shall be calculated or estimated—

- (a) where it has been received in respect of the whole of the period of 26 weeks which ends at the end of the relevant week, by dividing such income received in that period by 26;

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(1) S.I.1987/1973; the relevant amending instrument is S.I. 1991/1520. At the date of making these Regulations the amount was £257 per annum.

*Status: This is the original version (as it was originally made).*

- (b) where it has been received in respect of part of the period of 26 weeks which ends at the end of the relevant week, by dividing such income received in that period by the number of complete weeks in respect of which such income is received and for this purpose income shall be treated as received in respect of a week if it is received in respect of any day in the week in question.
- (2) The amount of maintenance payments made in respect of a parent—
  - (a) where they are payable weekly and have been paid at the same amount in respect of each week in the period of 13 weeks which ends at the end of the relevant week, shall be the amount equal to one of those payments;
  - (b) in any other case, shall be the amount calculated by aggregating the total amount of those payments received in the period of 13 weeks which ends at the end of the relevant week and dividing by the number of weeks in that period in respect of which maintenance was due.
- (3) In the case of a student—
  - (a) the amount of any grant and any amount paid in respect of grant contribution shall be calculated by apportioning it equally between the weeks in respect of which it is payable;
  - (b) the amount of any covenant income shall be calculated by dividing the amount payable in respect of a year by 52 (or, where such amount is payable in respect of a lesser period, by the number of complete weeks in that period) and, subject to sub-paragraph (4), deducting £5·00;
  - (c) the amount of any student loan shall be calculated by apportioning the loan equally between the weeks in respect of which it is payable and, subject to sub-paragraph (4), deducting £10·00.
- (4) For the purposes of sub-paragraph (3)—
  - (a) not more than £500 shall be deducted under sub-paragraph (3)(b);
  - (b) not more than £1000 in total shall be deducted under sub-paragraphs (3)(b) and (c).
- (5) Where in respect of the period of 52 weeks which ends at the end of the relevant week a person is in receipt of interest, dividend or other income which has been produced by his capital, the amount of that income shall be calculated by dividing the aggregate of the income so received by 52.
- (6) Where a calculation would, but for this sub-paragraph, produce an amount which, in the opinion of the child support officer, does not accurately reflect the normal amount of the other income of the person in question, such income, or any part of it, shall be calculated by reference to such other period as may, in the particular case, enable the other income of that person to be determined more accurately and for this purpose the child support officer shall have regard to the nature and pattern of receipt of such income.