
STATUTORY INSTRUMENTS

1992 No. 2869

The Social Security (Disability Living Allowance and Attendance Allowance) (Amendment) Regulations 1992

Amendment of regulation 9 of the Disability Living Allowance Regulations

5.—(1) Regulation 9 of the Disability Living Allowance Regulations(1) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (1), for the words “paragraphs (2) to (5)” there shall be substituted the words “paragraphs (1A) to (4)”.

(3) After paragraph (1) there shall be inserted the following paragraph—

“(1A) Paragraph (1)(b) and (c) shall not apply in circumstances where the cost of the accommodation is or may be borne wholly or partly out of public or local funds by virtue of—

- (a) section 100 of the Education Act 1944(2) (grants in aid of educational services);
- (b) section 1, 2 or 3 of the Education Act 1962(3) (which relate respectively to awards by local education authorities in respect of degree courses and further education and awards by the Secretary of State to persons undergoing teacher training or postgraduate courses);
- (c) sections 131(6) or 132(7) of the Education Reform Act 1988(4) (which respectively relate to the payment of grants to institutions by the Universities Funding Council and the Polytechnics and Colleges Funding Council); or
- (d) section 1 of the Education (Student Loans) Act 1990(5) (student loans).”.

(1) Regulation 9 was amended by S.I.1992/633, regulation 2(3).

(2) 7 & 8 Geo. 6 c.31. Section 100 has been amended: relevant amendments were made by S.I. 1964/490, article 3(2)(a) and the Education Reform Act 1988 (c. 40), section 213(3).

(3) 1962 c. 12. There are amendments to sections 1 and 2 which are not relevant for the purposes of these Regulations. Section 3 has been amended: relevant amendments were made by S.I. 1964/490, article 3(2)(a) and the Education Act 1975 (c. 2), section 2.

(4) 1988 c. 40.

(5) 1990 c. 6.