

*This Statutory Instrument has been made in part to correct errors in S.I.s 2000/1922 and 1981 and will be issued free of charge to all known recipients of those instruments.*

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## STATUTORY INSTRUMENTS

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# 2000 No. 2422

## SOCIAL SECURITY

### The Social Security (Students and Income-related Benefits) (No. 2) Regulations 2000

<i>Made</i>	- - - -	<i>6th September 2000</i>
<i>Laid before Parliament</i>		<i>14th September 2000</i>
<i>Coming into force</i>	- -	<i>9th October 2000</i>

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 123(1)(a), (d) and (e), 130(2), 136(3), (4) and (5), 137(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992<sup>M1</sup> and of all other powers enabling him in that behalf, after consultation in so far as the Regulations relate to housing benefit and council tax benefit with organisations appearing to the Secretary of State to be representative of the authorities concerned<sup>M2</sup> and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>M3</sup>, hereby makes the following Regulations:

#### Marginal Citations

- M1** 1992 c. 4; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the words “prescribed”.
- M2** See section 176(1) of the [Social Security Administration Act 1992 \(c. 5\)](#).
- M3** See sections 170 and 173(1)(b) of the Social Security Administration Act 1992.

#### Citation and commencement

1. These Regulations shall be cited as the Social Security (Students and Income-related Benefits) (No. 2) Regulations 2000 and shall come into force on 9th October 2000.

#### Amendment of the Housing Benefit (General) Regulations 1987

[<sup>F12</sup>2. At the end of regulation 51(2) of the Housing Benefit (General) Regulations 1987 <sup>M4</sup> (eligible rent) there shall be added the following sub-paragraph—

“(e) to whom regulation 48A(5) (full-time students not to be treated as liable to make payments in respect of a dwelling) applies.”.]

**Textual Amendments**

**F1** Reg. 2 revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Sch. 3, Sch. 4)

**Marginal Citations**

**M4** [S.I. 1987/1971](#); the relevant amending instruments are [S.I. 1991/235](#) and 387, 1995/626 and 2986, 1997/584 and 1998/766.

**Amendment of the Council Tax Benefit (General) Regulations 1992**

[<sup>F13</sup>—(1) The Council Tax Benefit (General) Regulations 1992 <sup>M5</sup> shall be amended in accordance with the following paragraphs of this regulation.

(2) For “(3A)” in sub-paragraph (4B) of regulation 42 (calculation of grant income), there shall be substituted “ (4A) ”.

(3) For the words

“(3) Where a payment from access funds is made”

in regulation 47A (treatment of payments from access funds), there shall be substituted the words

“(4) Where a payment from access funds is made”.]

**Textual Amendments**

**F1** Reg. 2 revoked (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 1** (with regs. 2, 3, Sch. 3, Sch. 4)

**Marginal Citations**

**M5** [S.I. 1992/1814](#); the relevant amending instruments are [S.I. 1996/1994](#), 1999/1935 and 2000/1922.

**Amendment of the Income Support (General) Regulations 1987**

**4.** In regulation 2(1) of the Income Support (General) Regulations 1987 (interpretation) <sup>M6</sup> the definition of “full-time student” shall be omitted from after the definition of “employment” and inserted after the definition of “ employment zone contractor ”.

**Marginal Citations**

**M6** [S.I. 1987/1967](#); the relevant amending instruments are [S.I. 1988/1445](#), 2000/724 and 2000/1981.

Signed by authority of the Secretary of State for Social Security.

*Jeff Rooker*  
Minister of State,  
Department of Social Security

## EXPLANATORY NOTE

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

These Regulations amend the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814) and the Income Support (General) Regulations 1987 (S.I. 1987/1967).

The Housing Benefit (General) Regulations 1987 are amended to provide that students who were engaged in caring for another person or who were ill and who were unable to resume their course will not be subject to a reduction in their eligible rent for the purpose of determining their entitlement to housing benefit for the period before they resume their course.

The Council Tax Benefit (General) Regulations 1992 are amended to correct two references.

The Income Support (General) Regulations 1987 are amended to correct the alphabetical sequence of the definition of "full-time student".

These Regulations do not impose any charge on business.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Students and Income-related Benefits) (No. 2) Regulations 2000.