

2002 No. 2207

SOCIAL SECURITY

The Social Security Amendment (Students and Income-related Benefits) (No. 2) Regulations 2002

Made - - - - - 23rd August 2002

Laid before Parliament 29th August 2002

Coming into force - - 2nd September 2002

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 123(1)(a), (d) and (e), 136(5)(b), 137(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(a) and sections 12(4)(b), 35(1) and 36(2) of the Jobseekers Act 1995(b) and of all other powers enabling him in that behalf after consultation, in respect of provisions in these Regulations relating to housing benefit and council tax benefit, with organisations appearing to him to be representative of the authorities concerned(c) and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(d), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security Amendment (Students and Income-related Benefits) (No. 2) Regulations 2002 and shall come into force on 2nd September 2002.

Calculation of grant income

2.—(1) For sub-paragraph (a) of each of the provisions specified in paragraph (3) below, there shall be substituted the following sub-paragraph—

“(a) any grant of £255 for an only or eldest dependant child payable under regulation 15(1)(c) of the Education (Student Support) Regulations 2002(e);”.

(2) In sub-paragraph (b) of each of the provisions specified in paragraph (3) below, for the sum “£500” there shall be substituted the sum “£510”.

(3) The provisions specified for the purposes of paragraphs (1) and (2) above (which relate to the calculation of grant income) are—

- (a) regulation 42(3A) of the Council Tax Benefit (General) Regulations 1992(f);
- (b) regulation 53(2B) of the Housing Benefit (General) Regulations 1987(g);

(a) 1992 c. 4; sections 123(1)(e) was substituted and section 137 amended, with respect to council tax benefit, by Schedule 9 to the Local Government Finance Act 1992 (c. 14), paragraphs 1 and 9. Section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”. Section 175(1) was amended by paragraph 29 of Schedule 3 to, the Transfer of Functions Act 1999 (c. 11).

(b) 1995 c. 18; section 35(1) is an interpretation provision and is cited because of the meaning ascribed to the words “prescribed” and “regulations”.

(c) See section 176(1) of the Social Security Administration Act 1992.

(d) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992; paragraph 67 of Schedule 2 to the Jobseekers Act 1995 added that Act to the list of “relevant enactments” in respect of which regulations must normally be referred to the Committee.

(e) S.I. 2002/195 as amended by S.I. 2002/1318.

(f) S.I. 1992/1814; the relevant paragraph was inserted by S.I. 2001/2319 and amended by S.I. 2002/1589.

(g) S.I. 1987/1971; the relevant paragraph was inserted by S.I. 2001/2319 and amended by S.I. 2002/1589.

- (c) regulation 62(2B) of the Income Support (General) Regulations 1987(a);
- (d) regulation 131(3A) of the Jobseeker's Allowance Regulations 1996(b).

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

23rd August 2002

Nick Brown
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814), the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), the Income Support (General) Regulations 1987 (S.I. 1987/1967) and the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) in so far as those Regulations apply to students.

In particular, they increase the disregard for grants paid for an eldest or dependent child and in respect of expenditure on travel, books and equipment under the Education (Student Support) Regulations 2002 (S.I. 2002/195).

These Regulations do not impose any charge on business.

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- (a) S.I. 1987/1967; the relevant paragraph was inserted by S.I. 2001/2319 and amended by S.I. 2002/1589.
 - (b) S.I. 1996/207; the relevant paragraph was inserted by S.I. 2001/2319 and amended by S.I. 2002/1589.

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