
STATUTORY INSTRUMENTS

2017 No. 725

The Loans for Mortgage Interest Regulations 2017

Duration of loan payments

9.—(1) Subject to paragraph (2), loan payments shall continue to be made indefinitely at the intervals specified in regulation 7.

(2) If one of the circumstances in paragraph (3) occurs, the Secretary of State shall terminate the loan payments immediately but subject to paragraph (4).

(3) The circumstances are that—

- (a) the claimant ceases to be entitled to^{F1}, or treated as entitled to,] a qualifying benefit;
- (b) the claimant ceases to be, or to be treated as, liable to make owner-occupier payments under Schedule 2;
- (c) the claimant ceases to be, or to be treated as, occupying the relevant accommodation under Schedule 3;
- (d) the loan agreement is terminated in accordance with its terms;

^{F2}(e)

(4) The Secretary of State shall make the loan payments direct to the claimant for the period specified in paragraph (6) if—

- (a) a claimant ceases to be entitled to a legacy benefit by reason that, in the case of a single claimant, the claimant or his or her partner (if any), or, in the case of joint claimants, either member of the couple, is engaged in remunerative work; and
- (b) the conditions in paragraph (5) are met.

(5) The conditions are that, in the case of a single claimant, the claimant or his or her partner (if any), or, in the case of joint claimants, either member of the couple—

- (a) is engaged in remunerative work which is expected to last for a period of no less than 5 weeks;
- (b) is still liable or treated as liable to make owner-occupier payments under Schedule 2;
- (c) has, for a continuous period of 26 weeks ending with the day on which he or she commences the work referred to in sub-paragraph (a), been entitled to a legacy benefit; and
- (d) was, on the day before the day on which he or she commenced the work referred to in sub-paragraph (a), receiving loan payments under these Regulations.

(6) The period specified is the period of 4 weeks commencing with the day on which the relevant person is first engaged in remunerative work.

^{F3}(7) If a legacy benefit claimant ceases to be entitled to, or treated as entitled to, a legacy benefit (“the old entitlement”) but becomes entitled, or treated as entitled, again to the benefit (“the new entitlement”) within the period of 52 weeks beginning with the day on which the claimant ceased to be entitled, or treated as entitled, to the old entitlement, and the claimant wishes to receive loan payments on the basis of the new entitlement, there is no requirement for the claimant to serve a new qualifying period.

(8) If a UC claimant ceases to be entitled to universal credit (“the old entitlement”) but becomes entitled again to universal credit (“the new entitlement”) within the period of 6 months beginning with the day on which the claimant ceased to be entitled to the old entitlement, and the claimant wishes to receive loan payments on the basis of the new entitlement, there is no requirement for the claimant to serve a new qualifying period.]

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| F1 | Words in reg. 9(3)(a) inserted (6.4.2018) by The Loans for Mortgage Interest and Social Fund Maternity Grant (Amendment) Regulations 2018 (S.I. 2018/307) , regs. 1(2), 2(5)(a) |
| F2 | Reg. 9(3)(e) omitted (3.4.2023) by virtue of The Loans for Mortgage Interest (Amendment) Regulations 2023 (S.I. 2023/226) , regs. 1(1), 2(5)(a) |
| F3 | Reg. 9(7)(8) substituted for reg. 9(7) (3.4.2023) by The Loans for Mortgage Interest (Amendment) Regulations 2023 (S.I. 2023/226) , regs. 1(1), 2(5)(b) |

Changes to legislation:

There are currently no known outstanding effects for the The Loans for Mortgage Interest Regulations 2017, Section 9.