

2006 No. 1752

SOCIAL SECURITY

The Social Security (Students and Income-related Benefits) Amendment Regulations 2006

Made - - - - - 3rd July 2006

Laid before Parliament 7th July 2006

Coming into force in accordance with regulation 1

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred upon him by sections 123(1)(a), (d) and (e), 136(3) and (5)(b), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a) and sections 12(1) and (4)(b), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(b).

In accordance with section 176(1) of the Social Security Administration Act 1992(c), he has consulted with the organisations appearing to him to be representative of the authorities concerned in respect of provisions in these Regulations relating to council tax benefit and housing benefit.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(d).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Students and Income-related Benefits) Amendment Regulations 2006 and, subject to paragraph (2), shall come into force on 1st August 2006.

(2) Regulations 2 to 6 shall come into force—

(a) in the case of a person whose period of study begins on or after 1st August 2006 but before 1st September 2006, on the day the period of study begins; and

(b) in any other case, on 1st September 2006.

(3) In paragraph (2), “period of study” has the same meaning as in regulation 61 of the Income Support (General) Regulations 1987(e).

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- (a) 1992 c. 4. Section 123(1)(e) was substituted by paragraph 1(1) of Schedule 9 to the Local Government Finance Act 1992 (c. 14). Section 137(1) is an interpretation provision and is cited because of the meaning there given to the word “prescribed”. Section 175(4) was amended by section 2 of, and paragraph 29 of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).
- (b) 1995 c. 18. Section 35(1) is an interpretation provision and is cited because of the meaning there given to the words “prescribed” and “regulations”. Sections 35(1) and 36(4) were amended by section 2 of, and paragraphs 62 and 63 respectively of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) Act 1999.
- (c) 1992 c. 5 as amended by section 103 of, and paragraph 23 of Schedule 9 to, the Local Government Finance Act 1992.
- (d) See sections 172(1) 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 1987/1967.

[Regulation 2 amends regulations 46 and 51 of S.I. 2006/215.]

[Regulation 3 amends regulations 59, 62 and 64 of S.I. 2006/213.]

[Regulation 4 amends regulations 62 and 66 of S.I. 1987/1967.]

[Regulation 5 amends regulations 131 and 136 of S.I. 1996/207.]

[Regulation 6 amends regulation 2 of S.I. 2005/1807.]

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

3rd July 2006

James Plaskitt
Parliamentary Under Secretary of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Council Tax Benefit Regulations 2006 (S.I. 2006/215), the Housing Benefit Regulations 2006 (S.I. 2006/213), the Income Support (General) Regulations 1987 (S.I. 1987/1967) and the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) ("the Income-related Benefits Regulations") in so far as they relate to students and sums to be disregarded in the calculation of their entitlement to benefit under the Income-related Benefit Regulations.

The Income-related Benefits Regulations are amended to increase the amounts of grant and loan income to be disregarded in respect of travel costs and the costs of books and equipment and to take account of changes to the provision of support to students by introducing a disregard for tuition fee loans from the calculation of a student's income.

These Regulations also:

- correct a cross-reference in the Housing Benefit Regulations 2006;
- remove an obsolete provision from the Income Support (General) Regulations 1987 and the Jobseeker's Allowance Regulations 1996 relating to a grant previously paid to certain students under certain legislation;
- make a minor drafting change to the Council Tax Benefit Regulations 2006 and the Housing Benefit Regulations 2006;
- make consequential amendments to The Social Security (Students and Income-related Benefits) Amendment Regulations 2005 (S.I. 2005/1807).

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities and voluntary bodies.