
STATUTORY INSTRUMENTS

2013 No. 376

The Universal Credit Regulations 2013

PART 6

CALCULATION OF CAPITAL AND INCOME

CHAPTER 3

UNEARNED INCOME

Person treated as having student income

68.—(1) A person who is undertaking a course [^{F1}of education, study or training] (see regulation 13) and has a student loan^{F2}, a postgraduate^{F3}... loan] or a grant in respect of that course, is to be treated as having student income in respect of—

- (a) an assessment period in which the course begins;
- (b) in the case of a course which lasts for two or more years, an assessment period in which the second or subsequent year begins;
- (c) any other assessment period in which, or in any part of which, the person is undertaking the course, excluding—
 - (i) an assessment period in which the long vacation begins or which falls within the long vacation, or
 - (ii) an assessment period in which the course ends.

(2) Where a person has a student loan [^{F4}or a postgraduate^{F5}... loan], their student income for any assessment period referred to in paragraph (1) is to be based on the amount of that loan.

(3) Where paragraph (2) applies, any grant in relation to the period to which the loan applies is to be disregarded except for—

- (a) any specific amount included in the grant to cover payments which are rent payments in respect of which an amount is included in an award of universal credit for the housing costs element;
- (b) any amount intended for the maintenance of another person in respect of whom an amount is included in the award.

(4) Where paragraph (2) does not apply, the person's student income for any assessment period in which they are treated as having that income is to be based on the amount of their grant.

(5) A person is to be treated as having a student loan [^{F6}or a postgraduate^{F7}... loan] where the person could acquire [^{F8}a student loan or a postgraduate^{F7}... loan] by taking reasonable steps to do so.

(6) Student income does not include any payment referred to in regulation 66(1)(f) (training allowances).

(7) In this regulation and regulations 69 to 71—

“grant” means any kind of educational grant or award, excluding a student loan or a payment made under a scheme to enable persons under the age of 21 to complete courses of education or training that are not advanced education;

“the long vacation” is a period of no less than one month which, in the opinion of the Secretary of State, is the longest vacation during a course which is intended to last for two or more years;

[^{F9}“postgraduate loan” means a loan to a student undertaking a postgraduate master’s degree course or a postgraduate doctoral degree course pursuant to regulations made under section 22 of the Teaching and Higher Education Act 1998;]

“student loan” means a loan towards a student's maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998 ^{M1}, section 73 of the Education (Scotland) Act 1980 ^{M2} or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 ^{M3F10}

Textual Amendments

- F1** Words in reg. 68(1) inserted (29.4.2013) by [The Universal Credit \(Consequential, Supplementary, Incidental and Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/630\)](#), regs. 1(2), **38(5)**
- F2** Words in reg. 68(1) inserted (4.8.2016) by [The Social Security \(Treatment of Postgraduate Masters Degree Loans and Special Support Loans\) \(Amendment\) Regulations 2016 \(S.I. 2016/743\)](#), regs. 1, **6(2)(a)**
- F3** Words in reg. 68(1) omitted (15.7.2020) by virtue of [The Social Security \(Income and Capital\) \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/618\)](#), regs. 1, **8(2)(a)**
- F4** Words in reg. 68(2) inserted (4.8.2016) by [The Social Security \(Treatment of Postgraduate Masters Degree Loans and Special Support Loans\) \(Amendment\) Regulations 2016 \(S.I. 2016/743\)](#), regs. 1, **6(2)(b)**
- F5** Words in reg. 68(2) omitted (15.7.2020) by virtue of [The Social Security \(Income and Capital\) \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/618\)](#), regs. 1, **8(2)(a)**
- F6** Words in reg. 68(5) inserted (4.8.2016) by [The Social Security \(Treatment of Postgraduate Masters Degree Loans and Special Support Loans\) \(Amendment\) Regulations 2016 \(S.I. 2016/743\)](#), regs. 1, **6(2)(c)(i)**
- F7** Words in reg. 68(5) omitted (15.7.2020) by virtue of [The Social Security \(Income and Capital\) \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/618\)](#), regs. 1, **8(2)(b)**
- F8** Words in reg. 68(5) substituted (4.8.2016) by [The Social Security \(Treatment of Postgraduate Masters Degree Loans and Special Support Loans\) \(Amendment\) Regulations 2016 \(S.I. 2016/743\)](#), regs. 1, **6(2)(c)(ii)**
- F9** Words in reg. 68(7) substituted (15.7.2020) by [The Social Security \(Income and Capital\) \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/618\)](#), regs. 1, **8(2)(c)**
- F10** Words in reg. 68(7) omitted (1.4.2024) by virtue of [The Social Security and Universal Credit \(Migration of Tax Credit Claimants and Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/341\)](#), regs. 1(2), **7(4)**

Marginal Citations

- M1** 1998 c.30.
- M2** 1980 c.44.
- M3** S.I. 1998/1760 (N.I. 14).

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit Regulations 2013, Section 68.