
STATUTORY INSTRUMENTS

1987 No. 1973

SOCIAL SECURITY

The Family Credit (General) Regulations 1987

Made - - - - 20th November 1987

Coming into force 11th April 1988

THE FAMILY CREDIT (GENERAL) REGULATIONS 1987

PART I

GENERAL

1. Citation and commencement
2. Interpretation
- 2A Disapplication of section 1(1A) of the Administration Act

PART II

PRESENCE IN GREAT BRITAIN AND REMUNERATIVE WORK

3. Circumstances in which a person is treated as being or as not being in Great Britain
4. Remunerative work
- 4A Further provision as to remunerative work

PART III

MEMBERSHIP OF A FAMILY

6. Persons of a prescribed description
7. Circumstances in which a person is to be treated as responsible or not responsible for another
8. Membership of the same household
9. Circumstances in which a person is to be treated as being no longer a member of the same household

PART IV

INCOME AND CAPITAL

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

CHAPTER I

GENERAL

10. Calculation of income and capital of members of claimant's family and of a polygamous marriage
11. Calculation of income and capital of students
12. Rounding of fractions

CHAPTER II

NORMAL WEEKLY INCOME

13. Calculation of income on a weekly basis
- 13A Treatment of child care charges
14. Normal weekly earnings of employed earners
- 14A Normal weekly earnings of directors
15. Normal weekly earnings of self-employed earners
16. Normal weekly income other than earnings
17. Periods to be disregarded
18. Calculation of weekly amount of income

CHAPTER III

EMPLOYED EARNERS

19. Earnings of employed earners
20. Calculation of net earnings of employed earners
- 20ZA Calculation of net earnings of directors
- 20A Calculation of bonus or commission

CHAPTER IV

SELF-EMPLOYED EARNERS

21. Earnings of self-employed earners
22. Calculation of net profit of self-employed earners
23. Deduction of tax and contributions for self-employed earners

CHAPTER V

OTHER INCOME

24. Calculation of income other than earnings
25. Capital treated as income
26. Notional income
27. Modifications in respect of children and young persons

CHAPTER VI

CAPITAL

28. Capital limit
29. Calculation of capital
30. Disregard of capital of child or young person
31. Income treated as capital

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 32. Calculation of capital in the United Kingdom
- 33. Calculation of capital outside the United Kingdom
- 34. Notional capital
- 34A Diminishing notional capital rule
- 35. Capital jointly held
- 36. Calculation of tariff income from capital

CHAPTER VII

STUDENTS

- 37. Interpretation
- 38. Calculation of grant income
- 39. Calculation of covenant income where a contribution is assessed
- 40. Covenant income where no grant income or no contribution is assessed
- 41. Relationship with amounts to be disregarded under Schedule 2
- 42. Other amounts to be disregarded
- 42ZA Calculation of capital—lump sum access fund payment
- 42A Treatment of student loans
- 43. Disregard of contribution
- 43A Further disregard of student's income
- 44. Disregard of tax refund
- 45. Disregard of changes occurring during summer vacation

PART V

CALCULATION OF ENTITLEMENT

- 46. Determination of appropriate maximum working families' tax credit
- 46A Treatment of child care charges
- 47. Applicable amount
- 48. Entitlement to family credit where income exceeds the applicable amount

PART VI

CHANGES OF CIRCUMSTANCES

- 49. Death of claimant
- 49ZA Surrendering an award following birth or adoption etc. of child
- 49A Young person leaving full-time education
- 50. Prevention of duplication of awards of working families' tax credit and income support
- 51. Overlapping awards
- 51A Reduced benefit direction

PART VII

ENTITLEMENT TO FAMILY CREDIT AND DISABILITY WORKING ALLOWANCE

- 52. Prescribed circumstances for entitlement to working families' tax credit
Signature

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. Any earnings derived from employment which are payable in a...
2. Any earnings of a child or young person.
3. Where a payment of earnings is made in a currency...

SCHEDULE 2 — SUMS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

1. Any amount paid by way of tax on income which...
2. Any payment in respect of any expenses incurred by a...
3. Any housing benefit, income-based jobseeker's allowance or income support...
4. Any mobility allowance, disability living allowance or disabled person's...
5. Any concessionary payment made to compensate for the non-payment of —...
6. Any mobility supplement or any payment intended to compensate for...
7. Any payment which is— (a) an attendance allowance under section...
8. Any payment to the claimant as holder of the Victoria...
9. Any— (a) education maintenance allowance payable by virtue of regulations...
10. In the case of a student, any sums intended for...
11. In the case of a claimant participating in arrangements for...
12. Any Jobmatch Allowance payable pursuant to arrangements made under section...
- 12A Any payment by way of Job Grant pursuant to arrangements...
13. (1) Except where sub-paragraph (2) applies and subject to sub-paragraph...
14. Subject to paragraph 29, £10 of any of the following,...
15. Any child benefit under Part I of the Child Benefit...
16. (1) Any income derived from capital to which the claimant...
17. Where a person receives income under an annuity purchased with...
18. Any payment made to the claimant by a person who...
19. Where the claimant occupies a dwelling as his home and...
20. Any income in kind.
21. Any income which is payable in a country outside the...
22. (1) Any payment made to the claimant in respect of...
23. Any payment made by a local authority to the claimant...
24. Any payment made to the claimant or his partner for...
25. Any payment made by a local authority in accordance with...
- 25A (1) Subject to sub-paragraph (2), any payment received under an...
26. Any payment of income which under regulation 31 (income treated...
27. Any maternity allowance under section 22 of the Social Security...
- 27A Any statutory paternity pay.
28. Any payment under paragraph 2 of Schedule 6 to the...
29. The total of a claimant's income or, if he is...
30. Where a payment of income is made in a currency...
31. Any maternity allowance under section 22 of the Social Security...
32. Any payment in respect of expenses to which regulation 19(2)...
33. Any resettlement benefit which is paid to the claimant by...
34. (1) Any payment made under the Macfarlane Trust, the Macfarlane...
35. Any payment made by the Secretary of State to compensate...
36. Any payment made by the Secretary of State to compensate...
37. Any payment made by the Secretary of State to compensate...
38. Any payment made to a juror or witness in respect...
39. SUMS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

40. Where the claimant occupies a dwelling as his home and...
41. Any community charge benefit.
42. Any payment in consequence of a reduction of a personal...
43. Any special war widows payment made under—
44. (1) Any payment or repayment made— (a) as respects England...
45. Any payment made under regulation 9 to 11 or 13...
46. Any payment made either by the Secretary of State for...
47. (1) Any payment of maintenance, whether under a court order...
48. Any payment (other than a training allowance) made, whether by...
49. Any council tax benefit.
50. Any guardian's allowance.
51. Where the claimant is in receipt of any benefit under...
52. Any supplementary pension under article 29(1A) of the Naval, Military...
53. In the case of a pension awarded at the supplementary...
54. (1) Any payment which is— (a) made under any of...
55. Any payment made by the Secretary of State to compensate...
56. Any payment made by the Secretary of State under the...
57. Any payment made under the Community Care (Direct Payments) Act...
58. (1) Any Career Development Loan paid to the claimant pursuant...
59. Any mandatory top-up payment made to a person pursuant to...
60. Any discretionary payment to meet, or to help meet, special...
61. (1) Subject to sub-paragraph (2), in respect of a person...
62. (1) Subject to sub-paragraph (2), any discretionary payment made pursuant...
63. Any child care expenses reimbursed to the claimant in respect...
64. Any top-up payment made to a person (“the participant”) pursuant...
65. (1) Any payment of a sports award except to the...
66. Any payment of voucher provided under section 95 or 99...
67. In the case of a claimant participating in an employment...
68. In the case of a claimant participating in a course...
69. In the case of a claimant who is absent from...
70. £15 of any— (a) widowed mother's allowance paid pursuant to...
71. Any discretionary housing payment paid pursuant to regulation 2(1) of...

SCHEDULE 3 — CAPITAL TO BE DISREGARDED

1. The dwelling, together with any garage, garden and outbuildings, normally...
- 1A (1) The dwelling, together with any garden, garage and outbuildings,...
2. Any premises acquired for occupation by the claimant which he...
3. Any sum directly attributable to the proceeds of sale of...
4. Any premises occupied in whole or in part by a...
5. Any future interest in property of any kind, other than...
6. (1) The assets of any business owned in whole or...
7. Any sum attributable to the proceeds of sale of any...
8. Any arrears of, or any concessionary payment made to compensate...
9. Any sum— (a) paid to the claimant in consequence of...
10. Any sum— (a) deposited with a housing association as defined...
11. Any personal possessions except those which have been acquired by...
12. The value of the right to receive any income under...
13. Where the funds of a trust are derived from a...
14. The value of the right to receive any income under...
15. The value of the right to receive any income which...
16. The surrender value of any policy of life insurance.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

17. Where any payment of capital falls to be made by...
18. Any payment made by a local authority in accordance with...
19. Any social fund payment made pursuant to Part III of...
20. Any refund of tax which falls to be deducted under...
21. Any capital which by virtue of regulations 25 (capital treated...
22. Where a payment of capital is made in currency other...
23. (1) Any payment made under the Macfarlane Trust, the Macfarlane...
24. The value of the right to receive an occupational or...
- 24A. The value of any funds held under a personal pension...
25. The value of the right to receive any rent except...
26. (1) Where a claimant has ceased to occupy what was...
27. Any premises where the claimant is taking reasonable steps to...
28. Any premises which the claimant intends to occupy as his...
29. Any premises which the claimant intends to occupy as his...
30. Any premises occupied in whole or in part by the...
31. Any payment in kind made by a charity or under...
32. £200 of any payment, or, if the payment is less...
33. Any payment made by the Secretary of State to compensate...
34. Any payment made by the Secretary of State to compensate...
35. Any payment made by the Secretary of State to compensate...
36. Any payment made to a juror or witness in respect...
37. CAPITAL TO BE DISREGARDED
38. Any payment in consequence of a reduction of a personal...
39. Any grant made to the claimant in accordance with a...
40. (1) Any payment or repayment made— (a) as respects England...
41. Any payment made under regulation 9 to 11 or 13...
42. Any payment made either by the Secretary of State for...
43. Any arrears of special war widows payment which is disregarded...
44. Any payment (other than a training allowance or training bonus...
45. Any payment made by a local authority under section 3...
46. Any sum of capital administered on behalf of a person...
47. Any sum of capital administered on behalf of a person...
48. Any payment made by the Secretary of State to compensate...
49. Any payment to the claimant as holder of the Victoria...
50. The amount of any back to work bonus payable by...
51. The amount of any child maintenance bonus payable by way...
52. Any mandatory top-up payment made to a person pursuant to...
53. Any discretionary payment to meet, or to help meet, special...
54. In the case of a person who is receiving, or...
55. Any discretionary payment made pursuant to section 2 of the...
56. Any child care expenses reimbursed to the claimant in respect...
57. Any top-up payment made to a person (“the participant”) pursuant...
58. (1) Any payment of a sports award for a period...
59. Any education maintenance allowance payable by virtue of regulations made...
60. In the case of a claimant participating in an employment...
61. Any arrears of subsistence allowance paid as a lump sum...
62. Any payment made to a person under regulation 11 of...
63. Any training grant payable under the New Deal 50 Plus...
64. Any payment by way of Job Grant pursuant to arrangements...
65. Any payment of £10,000 made by the Secretary of State...
66. (1) Subject to sub-paragraph (2), the amount of any trust...
67. Any ex-gratia payment made by the Secretary of State for...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 68. Any discretionary housing payment paid pursuant to regulation 2(1) of...
- 69. (1) Where a payment has been made to the claimant...

SCHEDULE 4 — TABLE IN SCHEDULE 4 TO THE FAMILY CREDIT
(GENERAL) REGULATIONS 1987 AS SUBSTITUTED BY
THESE REGULATIONS

Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Credit (General) Regulations 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg.13(1)(c) amended by [S.I. 1997/2793 reg.2\(2\)\(c\)](#)
- reg.13(1A) added by [S.I. 1997/2793 reg.2\(3\)](#)
- reg.14(1) amended by [S.I. 1996/3137 reg.3\(2\)](#)
- reg.14(2A)(6) amended by [S.I. 1996/3137 reg.3\(2\)](#)
- reg.14A(1)(2) amended by [S.I. 1996/3137 reg.3\(3\)](#)
- reg.18(1) amended by [S.I. 1996/3137 reg.3\(4\)](#)
- reg.20(1) amended by [S.I. 1996/3137 reg.3\(5\)\(a\)](#)
- reg.20(3) rev.in pt. by [S.I. 1996/3137 reg.3\(5\)\(b\)](#)
- reg.20ZA(1) rev.in pt. by [S.I. 1996/3137 reg.3\(6\)](#)
- reg.23(2) rev.in pt. by [S.I. 1996/3137 reg.3\(7\)\(a\)](#)
- reg.23(2)(a)(b) amended by [S.I. 1996/3137 reg.3\(7\)\(b\)\(c\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Regs S.49A added by [S.I. 1996/1418 reg.2](#)
- regs.13A(2)21A(2) amended by [S.I. 1997/2793 reg.2\(5\)\(c\)](#)