
STATUTORY INSTRUMENTS

1987 No. 1973

The Family Credit (General) Regulations 1987

PART IV

INCOME AND CAPITAL

CHAPTER V

OTHER INCOME

Calculation of income other than earnings

24.—(1) For the purposes of regulation 16 (normal weekly income other than earnings), the income of a claimant which does not consist of earnings to be taken into account shall, subject to paragraphs [^{F1}(2) to (4A)], be his gross income and any capital treated as income under [^{F2}regulations 25 and 27 (capital treated as income and modifications in respect of children and young persons).]

(2) There shall be disregarded from the calculation of a claimant's gross income under paragraph (1) any sum, where applicable, specified in Schedule 2.

^{F3}(3)

(4) Where the payment of any benefit under the benefit Acts ^{M1} is subject to any deduction by way of recovery the amount to be taken into account under paragraph (1) shall be the gross amount payable.

[^{F4}(4A) Where a loan is made to a person pursuant to arrangements made under section 1 of the Education (Student Loans) Act 1990 [^{F5}or Article 3 of the Education (Student Loans) (Northern Ireland) Order 1990] and that person ceases to be a student before the end of the academic year in respect of which the loan is payable or, as the case may be, before the end of his course, a sum equal to the weekly amount apportionable under paragraph (2) of regulation 42A shall be taken into account under paragraph (1) for each week, in the period over which the loan fell to be apportioned, following the date on which that person ceases to be a student; but in determining the weekly amount apportionable under paragraph (2) of regulation 42A so much of that paragraph as provides for a disregard shall not have effect.]

(5) For the avoidance of doubt there shall be included as income to be taken into account under paragraph (1) any payment to which regulation 19(2) applies (payments not earnings).

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| F1 | Words in reg. 24(1) substituted (1.9.1990) by The Social Security Benefits (Student Loans and Miscellaneous Amendments) Regulations 1990 (S.I. 1990/1549) , regs. 1(1)(a), 3(2)(a) |
| F2 | Words in reg. 24(1) substituted (5.10.1993) by The Income-related Benefits Schemes (Miscellaneous Amendments) (No. 4) Regulations 1993 (S.I. 1993/2119) , regs. 1(1)(b) , 30 |
| F3 | Reg. 24(3) omitted (10.4.1990) by Family Credit (General) Amendment Regulations 1990 (S.I. 1990/574) , reg. 1(1) , 10 |

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- F4** Reg. 24(4A) inserted (1.9.1990) by [The Social Security Benefits \(Student Loans and Miscellaneous Amendments\) Regulations 1990 \(S.I. 1990/1549\)](#), regs. 1(1)(a), **3(2)(b)**
- F5** Words in reg. 24(4A) inserted (6.8.1991) by [The Family Credit \(General\) Amendment Regulations 1991 \(S.I. 1991/1520\)](#), **reg. 1(1)**, 4

Marginal Citations

- M1** The benefit Acts are specified in section 84(1) of the [Social Security Act 1986 \(c. 50\)](#).

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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\(5\)\(c\)](#)