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STATUTORY INSTRUMENTS

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**1992 No. 1101**

**The Income-related Benefits Schemes and Social Security (Recoupment) Amendment Regulations 1992**

**Amendment of the Family Credit Regulations**

4.—(1) The Family Credit Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “policy of life insurance” there shall be inserted the following definition—

““qualifying person” means a person in respect of whom payment has been made from the Fund;”;

(b) after the definition of “student” there shall be inserted the following definition—

““the Fund” means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;”.

(3) In regulation 26(3) (notional income) after the words “the Macfarlane (Special Payments) (No. 2) Trust” there shall be inserted the words “, the Fund”.

(4) In regulation 31(3) (income treated as capital) after the words “the Macfarlane (Special Payments) (No. 2) Trust” there shall be inserted the words “, the Fund”.

(5) In regulation 34(3) (notional capital) after the words “the Macfarlane (Special Payments) (No. 2) Trust” there shall be inserted the words “, the Fund”.

(6) In Schedule 2 (sums to be disregarded in the calculation of income other than earnings), in paragraph 34—

(a) in sub-paragraph (1) after the words “(“the Trusts”),” there shall be inserted the words “the Fund”;

(b) in sub-paragraph (2) after the words “suffered from haemophilia” there shall be inserted the words “ or who is or was a qualifying person ”;

(c) in sub-paragraph (3)—

(i) after the words “suffered from haemophilia” there shall be inserted the words “ or who is or was a qualifying person ”;

(ii) in head (a) after the words “suffering from haemophilia” there shall be inserted the words “ or who is a qualifying person ”;

(d) in sub-paragraph (4) after the words “suffering from haemophilia” there shall be inserted the words “ or who is a qualifying person ”;

(e) in sub-paragraph (5) after the words “suffered from haemophilia” there shall be inserted the words “ or who was a qualifying person ”;

(f) after sub-paragraph (6) there shall be added the following sub-paragraph—

“(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund.”.

(7) In Schedule 3 (capital to be disregarded)—

(a) in paragraph 23—

(i) in sub-paragraph (1) after the words “(“the Trusts”),” there shall be inserted the words “ the Fund ”;

(ii) in sub-paragraph (2) after the words “suffered from haemophilia” there shall be inserted the words “ or who is or was a qualifying person ”;

(iii) in sub-paragraph (3)—

(aa) after the words “suffered from haemophilia” there shall be inserted the words “ or who is or was a qualifying person ”;

(bb) in head (a) after the words “suffering from haemophilia” there shall be inserted the words “ or who is a qualifying person ”;

(iv) in sub-paragraph (4) after the words “suffering from haemophilia” there shall be inserted the words “ or who is a qualifying person ”;

(v) in sub-paragraph (5) after the words “suffered from haemophilia” there shall be inserted the words “ or who was a qualifying person ”;

(vi) after sub-paragraph (6) there shall be added the following sub-paragraph—

“(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund.”;

(b) in paragraph 31 for the words “or the Macfarlane (Special Payments) (No. 2) Trust” there shall be substituted the words “ , the Macfarlane (Special Payments) (No. 2) Trust or the Fund ”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Income-related Benefits Schemes and Social Security (Recoupment) Amendment Regulations 1992, Section 4.