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STATUTORY INSTRUMENTS

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**2000 No. 1444**

**SOCIAL SECURITY**

**The Income Support (General) and Jobseeker's Allowance Amendment Regulations 2000**

<i>Made</i>	- - - -	<i>1st June 2000</i>
<i>Laid before Parliament</i>		<i>2nd June 2000</i>
<i>Coming into force</i>	- -	<i>26th June 2000</i>

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 123(1)(a), 136(5)(b), 137(1) and 175(1) and (3) to (5) of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup> and sections 12(4)(b), 35(1) and 36(1), (2) and (4) of the Jobseekers Act 1995<sup>(2)</sup> and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>(3)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations shall be cited as the Income Support (General) and Jobseeker's Allowance Amendment Regulations 2000 and shall come into force on 26th June 2000.

**Amendment of the Income Support (General) Regulations 1987**

2. In regulation 62 of the Income Support (General) Regulations 1987<sup>(4)</sup> (calculation of grant income)—

(a) in paragraph (1), for the words “(2) and (2A)” there shall be substituted the words “(2), (2A) and (2B)”;

(b) after paragraph (2A) there shall be inserted the following paragraph—

“(2B) Where, in respect of a claim for income support made on or after 26th June 2000—

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(1) 1992 c. 4; section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.  
(2) 1995 c. 18; section 35(1) is an interpretation provision and is cited because of the meaning ascribed to the words “prescribed” and “regulations”.  
(3) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992 (c. 5); 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.  
(4) S.I. 1987/1967; regulation 62(2A) was substituted by S.I. 1999/1935.

- (a) all or part of a student's grant income is paid in respect of—
  - (i) living costs for his dependants in accordance with regulation 15 of the Education (Student Support) Regulations 1999<sup>(5)</sup>;
  - (ii) where he commenced his course of study on or after 1st August 1998, the maintenance of any person dependent on him in accordance with regulation 4(1)(c) of the Students' Allowances (Scotland) Regulations 1999<sup>(6)</sup>; and
- (b) that student was liable to pay rent at any time during the academic year in which the date of claim falls,

the income referred to in sub-paragraph (a) shall be disregarded to the extent that it falls to be apportioned in respect of the period in the academic year beginning on the day on which a student loan would cease to be apportioned in accordance with regulation 66A(2)(a) or (b), if such a loan was taken into account in respect of that student in that academic year.”.

### **Amendment of the Jobseeker's Allowance Regulations 1996**

**3.** In regulation 131 of the Jobseeker's Allowance Regulations 1996<sup>(7)</sup> (calculation of grant income)—

- (a) in paragraph (1), for the words “(2) and (3)” there shall be substituted the words “(2), (3) and (3A)”;
- (b) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where, in respect of a claim for a jobseeker's allowance made on or after 26th June 2000—

- (a) all or part of a student's grant income is paid in respect of—
  - (i) living costs for his dependants in accordance with regulation 15 of the Education (Student Support) Regulations 1999<sup>(8)</sup>;
  - (ii) where he commenced his course of study on or after 1st August 1998, the maintenance of any person dependent on him in accordance with regulation 4(1)(c) of the Students' Allowances (Scotland) Regulations 1999<sup>(9)</sup>; and
- (b) that student was liable to pay rent at any time during the academic year in which the date of claim falls,

the income referred to in sub-paragraph (a) shall be disregarded to the extent that it falls to be apportioned in respect of the period in the academic year beginning on the day on which a student loan would cease to be apportioned in accordance with regulation 136(2)(a) or (b), if such a loan was taken into account in respect of that student in that academic year.”.

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<sup>(5)</sup> S.I. 1999/496.

<sup>(6)</sup> S.I. 1999/1131 (S. 91).

<sup>(7)</sup> S.I. 1996/207; Regulation 131(3) was substituted by S.I. 1999/1935.

<sup>(8)</sup> S.I. 1999/496.

<sup>(9)</sup> S.I. 1999/1131 (S. 91).

Signed by authority of the Secretary of State for Social Security.

1st June 2000

*Hugh Bayley*  
Parliamentary Under-Secretary of State,  
Department of Social Security

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Income Support (General) Regulations 1987 (S.I.1987/1967) and the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207).

In particular, regulations 2 and 3 provide respectively that, for the purposes of ascertaining entitlement to income support or to a jobseeker's allowance in respect of claims for those benefits made on or after 26th June 2000, any grant income paid in respect of living costs for dependants of the student in accordance with regulation 15 of the Education (Student Support) Regulations 1999 (S.I. 1999/496) or in respect of the maintenance of any person dependent on the student in accordance with regulation 4(1)(c) of the Students' Allowances (Scotland) Regulations 1999 (S.I. 1999/1131 (S.91)) which is attributed in respect of the period in the academic year beginning on the day when student loans cease to be apportioned, shall be disregarded where the student was liable to pay rent during the academic year in which the claim was made.

These Regulations do not impose any charge on business.