STATUTORY INSTRUMENTS

1976 No. 1242

HOUSING, ENGLAND AND WALES

The Rent Rebates and Rent Allowances (Students) (England and Wales) Regulations 1976

Made - - - -	*3rd August* 1976
Laid before Parliament	*11th August* 1976
Coming into Operation	*1st September* 1976

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by section 25(3)(*c*) (added by section 11(7)(*b*) of the Rent Act 1974**(a)**) of the Housing Finance Act 1972**(b)** and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Rent Rebates and Rent Allowances (Students) (England and Wales) Regulations 1976 and shall come into operation on 1st September 1976.

(2) The Interpretation Act 1889**(c)** shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament, and as if these regulations, and the regulations revoked by regulation 4, were Acts of Parliament.

(3) References in these regulations to a numbered regulation, or to a numbered class of awards or grants, shall be respectively construed unless the context otherwise requires as references to the regulation bearing that number in these regulations or to the class assigned that number in regulation 2(2).

(4) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references thereto as amended, varied, extended or applied by or under any other enactment.

(5) In these regulations—

"part-time courses of teacher training" means courses prescribed as designated courses under regulation 6(1)(*d*)(ii) or (iii) of the Local Education Authorities Awards Regulations 1975**(d)** as amended**(e)** ("the 1975 regulations");

"period of full-time study in an establishment" has the same meaning as in paragraph 1 of Schedule 5 to the 1975 regulations;

"qualifying students" has the meaning assigned to it by regulation 2(2);

(a) 1974 c. 51. **(b)** 1972 c. 47. **(c)** 1889 c. 63.
(d) S.I. 1975/1207 (1975 II, p. 4142).
(e) S.I. 1975/1697 and (with effect from 1st September 1976) S.I. 1976/1087 (1975 III, p. 5810; 1976 II, p. 2896).

"sandwich course" has the meaning assigned to it by paragraph 1 of Schedule 5 to the 1975 regulations;

"section 1", "section 2" and "section 3" mean respectively the sections bearing those numbers in the Education Act 1962(a);

"section 25" means section 25 of the Housing Finance Act 1972; and

"State Studentships" has the same meaning as in the State Awards Regulations 1963(b) as amended(c).

Prescribed deduction

2.—(1) The amount of £6 is hereby prescribed for the purposes of section 25(2)(*c*) as a deduction from the rent of tenants who are qualifying students, for the periods hereinafter provided.

(2) "Qualifying students" means persons for the time being in receipt, in respect of their attending courses at institutions, or undergoing training, in England or Wales, of awards or grants of any of the following classes—

Class 1: awards bestowed under section 1, other than those in respect of attendance at sandwich courses and part-time courses of teacher training;

Class 2: awards bestowed under section 1 in respect of attendance at sandwich courses;

Class 3: awards bestowed under section 2(1) in respect of attendance at courses of full-time education within the meaning of section 2(2);

Class 4: grants paid under regulations made under section 3(*a*) to or in respect of persons undergoing full-time training as teachers;

Class 5: awards (other than State Studentships) in respect of attendance at courses designated by or under the State Awards Regulations 1963, as amended;

Class 6: State Studentships; or

Class 7: awards or grants determined by the Secretary of State to be analogous to any of the preceding classes of awards or grants.

Period of deduction

3. The deduction prescribed by regulation 2 shall be made from the rent of a tenant who is a qualifying student for each week in a rebate period or allowance period, being a week commencing after 31st August 1976 and commencing and ending during each period specified in the Table in the Schedule to these regulations in relation to the class of award or grant of which he is for the time being in receipt.

Revocation

4. The Rent Allowances (Students) (England and Wales) Regulations 1974(d), the Rent Rebates and Rent Allowances (Students) (England and Wales) Regulations 1975(e) and the Rent Rebates and Rent Allowances (Students) (England and Wales) (No. 2) Regulations 1975(f) are hereby revoked.

(a) 1962 c. 12. (b) S.I. 1963/1223 (1963 II, p. 2035).
(c) The relevant amending instrument is S.I. 1969/554 (1969 I, p. 1515).
(d) S.I. 1974/1477 (1974 III, p. 5639). (e) S.I. 1975/343 (1975 I, p. 1078).
(f) S.I. 1975/1421 (1975 II, p. 4775).

Regulation 3.

SCHEDULE

TABLE

Class of Award or Grant	Period of Deduction
Class 1	Each term, and any period of the vacation in respect of which payments are made in pursuance of the award or grant at the rate applicable to additional attendance at the course.
Class 2	Each period of full-time study in an establishment, and any period of the vacation in respect of which payments are made in pursuance of the award or grant at the rate applicable to additional periods of such study.
Classes 3, 4 and 5	Each term.
Class 6	The period for which the award is tenable in accordance with regulation 5 of the State Awards Regulations 1963, as amended.
Class 7	The period equivalent to each period specified in relation to the class to which the award or grant has been determined to be analogous.

3rd August 1976.

Peter Shore,
Secretary of State for the Environment.

Signed by authority of the
Secretary of State for Wales
3rd August 1976.

S. Barry Jones,
Parliamentary Under-Secretary of State,
Welsh Office.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply to England and Wales, supersede, with amendments, the Rent Allowances (Students) (England and Wales) Regulations 1974, as amended. The principal amendment is the increase to £6 of the deduction which they prescribe. This deduction is made in calculating the rent which is eligible to be met by a rent rebate or a rent allowance under Part II (rent rebates and rent allowances) of the Housing Finance Act 1972, as amended by the Furnished Lettings (Rent Allowances) Act 1973 (c. 6), the Rent Act 1974 and the Housing Rents and Subsidies Act 1975 (c. 6), in the case of tenants who are students in receipt of awards or grants from public funds in respect of their attendance at certain full-time courses at universities and comparable institutions or for full-time training as teachers. Other, minor, amendments, reflect the amendment of the Education Act 1962 by the Education Act 1975 (c. 2) and the making of the Local Education Authorities Awards Regulations 1975, as amended, under that Act. These Regulations also provide for the periods during which the deduction is to be made. They come into operation on 1st September 1976.

SI 1976/1242
ISBN 0-11-061242-6

