STATUTORY INSTRUMENTS

1986 No. 1010

SOCIAL SECURITY

The Supplementary Benefit (Conditions of Entitlement) Amendment Regulations 1986

Made - - -	13*th June* 1986
Laid before Parliament	18*th June* 1986
Coming into Operation	3*rd November* 1986

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 5 and 34(1)(**a**) of the Supplementary Benefits Act 1976(**b**) and of all other powers enabling him in that behalf, after reference to the Social Security Advisory Committee(**c**) hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Supplementary Benefit (Conditions of Entitlement) Amendment Regulations 1986 and shall come into operation on 3rd November 1986.

Amendment of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981

2. Regulation 2(1) (interpretation) of the Supplementary Benefit (Conditions of Entitlement) Regulations 1981(**d**) shall be amended by:

(*a*) inserting before the definition "the Act" the following definition —

" "a course of advanced education" means —

(*a*) a full-time course in preparation for a degree, a diploma of higher education, a higher national diploma, a higher national diploma of the Business & Technician Education Council or the Scottish Vocational Education Council or a teaching qualification; or

(*b*) any other full-time course which is a course of a standard above ordinary national diploma, a national diploma of the Business & Technician Education Council or the Scottish Vocational Education Council, a general certificate of education (advanced level), a Scottish certificate of education (higher grade) or a Scottish certificate of sixth year studies;";

(**a**) *See* definitions of "prescribed" and "regulations".
(**b**) 1976 c.71, as amended by section 6(1) of and Part I of Schedule 2 to the Social Security Act 1980 (c.30).
(**c**) *See* sections 9 and 10 of the Social Security Act 1980 (c.30).
(**d**) S.I. 1981/1526; the relevant amending instrument is S.I. 1984/938.

(*b*) substituting for the definition of "student" the following definition —

" "student" means a person aged less than 19 who is attending a course of advanced education or, as the case may be, a person aged 19 or over but under pensionable age, not being a person to whom regulation 3(5) of the Supplementary Benefit (Aggregation) Regulations 1981(**a**) applies, who is attending a course of full-time education; and for the purposes of this definition a person shall be treated as attending a course of advanced education or, as the case may be, full-time education —

(*a*) during the period for which his maintenance grant or award is, or if he were in receipt of such a grant or award would be, payable under —

(i) Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 1985(**b**); or

(ii) the Students' Allowances (Scotland) Regulations 1971(**c**); and

(*b*) during the Christmas, Easter or any other vacation, other than the normal summer vacation as recognised in relation to him by the institution at which he is attending his course, falling within the period of that course;".

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

Tony Newton,
Minister of State,
Department of Health and Social Security.

13th June 1986.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations further amend the Supplementary Benefit (Conditions of Entitlement) Regulations 1981 by

(*a*) inserting a definition of "a course of advanced education"; and

(*b*) substituting a new definition of "student" so as to treat a person as a student throughout the period for which his student grant or award is, or if he were in receipt of such a grant or award would be, payable and throughout the period of any vacation other than the normal summer vacation falling during the period of his course.

The report of the Social Security Advisory Committee dated June 1986 on the proposals to make these regulations and a statement dated June 1986 showing the extent to which the regulations give effect to the Committee's recommendations are contained in Command Papers Nos. 9813 and 9814 published by Her Majesty's Stationery Office.

(a) S.I. 1981/1524; the relevant amending instrument is S.I. 1984/938.
(b) S.I. 1985/1126; there are no amending instruments.
(c) S.I. 1971/124; the relevant amending instruments are S.I. 1974/1187, 1983/798, 1536.

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