STATUTORY RULES OF NORTHERN IRELAND

2006 No. 333

HEALTH AND PERSONAL SOCIAL SERVICES

The Travelling Expenses and Remission of Charges (Amendment No. 3) Regulations (Northern Ireland) 2006

Made - - - -	*14th August 2006*
Coming into operation	*1st September 2006*

The Department of Health, Social Services and Public Safety(**1**) makes the following Regulations in exercise of the powers conferred by Articles 45, 98, 106 and 107(6) of, and paragraphs 1(b) and 1B of Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**2**) and with the approval of the Department of Finance and Personnel in so far as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel in so far as they relate to travelling expenses.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Travelling Expenses and Remission of Charges (Amendment No. 3) Regulations (Northern Ireland) 2006 and shall come into operation on 1st September 2006.

(2) In these Regulations—

"the principal Regulations" means the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004(**3**); and

"the Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**4**).

Amendment of Schedule 1 to the principal Regulations

2.—(1) Schedule 1 to the principal Regulations (Modifications of the Income Support (General) Regulations (Northern Ireland) 1987) is amended as follows.

(**1**) See S.I. 1999/283 (N.I. 1) Article 3(6)

(**2**) S.I. 1972/1265 (N.I. 14) as amended by Article 3(2) of, and paragraph 3 of Schedule 1 to, the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8)); paragraphs 4 and 5 of Article 8 of the Health and Medicines (Northern Ireland) Order 1988 (S.I. 1988/2249 (N.I. 24)); Article 34 of, and Part II of Schedule 5 to, the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)) there are other amendments which are not relevant

(**3**) S.R. 2004 No. 91; relevant amending Regulations are S.R. 2004 Nos. 156 and 162, S.R. 2005 Nos. 107 and 386, S.R. 2006 Nos. 136 and 190

(**4**) S.R. 1987 No. 459; relevant amending Regulations are S.R. 1990 No. 297, S.R. 1999 No. 317, S.R. 2000 No. 242 , S.R. 2001 No. 278, S.R. 2002 No. 222, S.R. 2005 No.332 and S.R. 2006 No. 301

(2) In Table A, in the modifications of regulation 62 of the Income Support Regulations (Calculation of grant income)—

(a) before the first entry, insert—

"In paragraph (1) for "subject to paragraphs (2) and (2A)" substitute "subject to paragraphs (2), (2A) and (2B)"";

(b) after the entry inserted by sub–paragraph (a), insert—

"After paragraph (2A) insert—

"(2B) There shall also be disregarded from a student's grant income—

(a) any sum in excess of the sum set out as the maintenance grant amount in regulation 57(4)(b), (c) or (d), as appropriate, of the Education (Student Support) Regulations (Northern Ireland) 2006 (New system students with full entitlement)(**5**) which forms part of a maintenance grant paid pursuant to regulation 49 of those Regulations (Qualifying conditions for the maintenance grant);

(b) any sum in excess of the sum set out as the maintenance grant amount in regulation 57(4)(b) of the Education (Student Support) Regulations 2006 (New system students with full entitlement)(**6**) which forms part of a maintenance grant paid pursuant to regulation 48 of those Regulations (Qualifying conditions for the maintenance grant); and

(c) any sum in excess of the sum set out as the maintenance grant amount in regulation 33(4)(b) of the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2006 (Maximum amount of loans for new system eligible students with full entitlement)(**7**) which forms part of a maintenance grant paid pursuant to regulation 29 of those Regulations (Maintenance grant).";"

(c) omit the entries that begin "In paragraph (3) from the beginning", "In paragraph (3)(a)" and "In paragraph (3)(b)";

(d) after the entry inserted by sub-paragraph (b), insert—

"For paragraph (3) substitute—

"(3) In calculating the weekly amount of the grant to be taken into account as income—

(a) except where sub-paragraph (b) or paragraph (4) applies, the grant shall be apportioned equally between 52 weeks; and

(b) in the case of a grant which is payable in respect of the final academic year of the course or if the course is only of one academic year's duration, in respect of that year the grant shall be apportioned equally between the weeks in the period beginning with the start of the final academic year or, as the case may be, the single academic year and ending with the last day of the course.";"

(e) for the entry that begins "In paragraph (3A)", substitute "Omit paragraph (3A)";

(f) for the entry that begins "In paragraph (4)", substitute—

(**5**) S.R. 2006 No. 312
(**6**) S.I. 2006/119, as amended by S.I. 2006/955 and S.I. 2006/1745
(**7**) S.I. 2006/126 (W.19)