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SCHEDULES

SCHEDULE 2

COMPUTATION OF REBATES AND ALLOWANCES

PART I

GENERAL

Income of tenant and spouse

- 9 (1) The weekly income of the tenant and any spouse of the tenant shall be ascertained for the purposes of this Schedule by taking the amount which the authority have assessed under Schedule 3 below as likely to be their income during the rebate period or, as the case may be, the allowance period and disregarding any item mentioned in sub-paragraph (2) below which is included in that income.
- (2) The items to be disregarded are—
- (a) any amount paid to the tenant by a sub-tenant to whom he has sub-let part of his house in respect of rent payable by the sub-tenant by reason of his occupation of the house;
 - (b) any payment made to the tenant or his spouse by a dependent child of his or of his spouse or by a non-dependant;
 - (c) in the case of a married couple £2.50 of the earnings of a woman who is either the tenant or the tenant's wife;
 - (d) any sums payable under section 49 of the Education (Scotland) Act 1962 (financial assistance for education);
 - (e) any attendance allowance ;
 - (f) any sums payable to any person as holder of the Victoria Cross or of the George Cross ;
 - (g) any benefit under the Ministry of Social Security Act 1966 ;
 - (h) £2.00 of any of the following, namely—
 - (i) a war disablement pension ;
 - (ii) industrial disablement benefit;
 - (iii) an old cases allowance ;
 - (iv) any payment which the Secretary of State accepts as being analogous to a payment mentioned in sub-paragraphs (i) to (iii) above ;
 - (i) £200 of so much of—
 - (i) a widow's pension under section 19(3) of the National Insurance (Industrial Injuries) Act 1965 payable by virtue of paragraphs (a) to (e) thereof;
 - (ii) a special widow's pension (not including any allowance in respect of children) ;

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- (iii) any payment which the Secretary of State accepts as being analogous to a payment mentioned in sub-paragraph (i) or (ii) above, as exceeds the rate specified in Schedule 3 to the National Insurance Act 1965 for a widow's pension under that Act;
 - (j) £2.00 of any voluntary payment other than a payment made by a person who is not a non-dependant for the maintenance of his spouse (including a spouse with whom he is not living) or his former spouse or his children.
- (3) The total disregard under paragraphs (h) to (j) of sub-paragraph (2) above shall in no case exceed £200, and where a number of voluntary payments (other than payments for maintenance such as are mentioned in paragraph (j) above) are received, they shall be treated as if they were one payment for the purposes of that paragraph.
- (4) In sub-paragraph (2) above—
- " attendance allowance " and " war disablement pension " have the meanings assigned to them by any regulations for the time being in force under the Family Income Supplements Act 1970;
 - " industrial disablement benefit " means any weekly payment of disablement benefit under the National Insurance (Industrial Injuries) Act 1965 ;
 - " old cases allowance " means a weekly payment made under a scheme having effect by virtue of the Industrial Injuries and Diseases (Old Cases) Act 1967 ;
 - " special widow's pension " means—
 - (a) any widow's pension or allowance granted under powers conferred by or under the Ministry of Pensions Act 1916, the Air Force (Constitution) Act 1917, the Personal Injuries (Emergency Provisions) Act 1939, the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, the Polish Resettlement Act 1947, the Home Guard Act 1951 or the Ulster Defence Regiment Act 1969 ;
 - (b) a pension or allowance for a widow granted under any scheme made under the Injuries in War (Compensation) Act 1914, the Injuries in War Compensation Act 1914 (Session 2), or the Injuries in War (Compensation) Act 1915 or under any War Risk Compensation Scheme for the Mercantile Marine.
- (5) The Secretary of State may accept a payment as being analogous to a payment mentioned in sub-paragraph (2) above—
- (a) by directing authorities in general to regard payments of that description as analogous for the purposes of this Schedule; or
 - (b) by notifying an authority that he accepts such a payment as analogous for those purposes.