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STATUTORY INSTRUMENTS

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**1991 No. 2887**

**The Disability Working Allowance (General) Regulations 1991**

**PART V**

**INCOME AND CAPITAL**

*CHAPTER I*

*GENERAL*

**Calculation of income and capital of members of claimant's family and of a polygamous marriage**

**12.**—(1) The income and capital of a claimant's partner and, subject to regulation 30 (modifications in respect of children and young persons), the income of a child or young person, which by virtue of section 22(5) of the Act is to be treated as income and capital of the claimant, shall be calculated or estimated in accordance with the following provisions of this Part in like manner as for the claimant; and any reference to the "claimant" shall, except where the context otherwise requires, be construed, for the purposes of this Part, as if it included a reference to his partner or that child or young person.

(2) Where a claimant or the partner of a claimant is married polygamously to two or more members of the same household—

- (a) the claimant shall be treated as possessing capital and income belonging to each such member and the income of any child or young person who is one of that member's family; and
- (b) the income and capital of that member or, as the case may be, the income of that child or young person shall be calculated in accordance with the following provisions of this Part in like manner as for the claimant or, as the case may be, as for any child or young person who is a member of his family.

**Calculation of income and capital of students**

**13.** The provisions of Chapters II to VI of this Part (income and capital) shall have effect in relation to students and their partners subject to the modifications set out in Chapter VII (students) thereof.

**Rounding of fractions**

**14.** Where any calculation under this Part results in a fraction of a penny that fraction shall, if it would be to the claimant's advantage, be treated as a penny, otherwise it shall be disregarded.