

## SCHEDULE 6

Determining eligibility for a reduction under an authority's scheme, amount of reduction and calculation of income and capital: persons who are not pensioners

### PART 1

Applicable amounts for the purposes of calculating eligibility for a reduction under an authority's scheme and amount of reduction: persons who are not pensioners

#### **Applicable amounts: persons who are not pensioners**

1.—(1) Subject to paragraphs 2 and 3, the applicable amount for a week for a person who is not a pensioner is the aggregate of such of the following amounts as may apply in the person's case—

- (a) an amount in respect of the person or, if that person is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 of Schedule 7 (personal allowances);
- (b) an amount in respect of any child or young person who is a member of the person's family, determined in accordance with paragraph 3 of Schedule 7 (child or young person amounts);
- (c) if the person is a member of a family of which at least one member is a child or young person, an amount determined in accordance with Part 2 of Schedule 7 (family premium);
- (d) the amount of any premiums which may be applicable to the person, determined in accordance with Parts 3 and 4 of Schedule 7 (premiums);
- (e) the amount of either the—
  - (i) work-related activity component; or
  - (ii) support component,which may be applicable to the person in accordance with Parts 5 and 6 of that Schedule (the components);
- (f) the amount of any transitional addition which may be applicable to the person in accordance with Parts 7 and 8 of Schedule 7 (transitional addition).

(2) In Schedule 3 —

“additional spouse” means a spouse by the party to the marriage who is additional to the party to the marriage;

“converted employment and support allowance” means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations 2008<sup>(1)</sup>;

“patient” means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005<sup>(2)</sup>.

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(1) S.I.2008/794.  
(2) S.I. 2005/3360.

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**Polygamous marriages: persons who are not pensioners**

2.—(1) This paragraph applies where an applicant who is not a pensioner is a member of a polygamous marriage and does not have (alone or jointly with a party to a marriage), an award of universal credit.

(2) The applicable amount for a week of an applicant where this paragraph applies is the aggregate of such of the following amounts as may apply in that applicant’s case—

- (a) the amount applicable to the applicant and one of the applicant’s partners determined in accordance with paragraph 1(3) of Schedule 7 (couple) as if the applicant and that partner were a couple;
- (b) an amount equal to the difference between the amounts specified in sub-paragraphs (3) and (1)(b) of paragraph 1 of Schedule 7 in respect of each of the applicant’s other partners;
- (c) an amount determined in accordance with paragraph 3 of Schedule 7 (child or young person amounts) in respect of any child or young person for whom the applicant or a partner of the applicant is responsible and who is a member of the same household;
- (d) if the applicant or another partner of the polygamous marriage is responsible for a child or young person who is a member of the same household, the amount specified in Part 2 of Schedule 7 (family premium);
- (e) the amount of any premiums which may be applicable to the applicant determined in accordance with Parts 3 and 4 of Schedule 7 (premiums);
- (f) the amount of either the—
  - (i) work-related activity component; or
  - (ii) support component;which may be applicable to the applicant in accordance with Parts 5 and 6 of that Schedule (the components);
- (g) the amount of any transitional addition which may be applicable to the applicant in accordance with Parts 7 and 8 of that Schedule (transitional addition).

**Applicable amount: persons who are not pensioners who have an award of universal credit**

3.—(1) Subject to sub-paragraph (2), in determining the applicable amount for a week of an applicant who is a pensioner—

- (a) who has, or
- (b) who (jointly with a partner) has,

an award of universal credit, the authority will use the calculation or estimate of the maximum amount of the applicant, or the applicant and the applicant’s partner jointly (as the case may be), subject to the adjustment described in sub-paragraph (3).

(2) In determining the applicable amount for a week of an applicant who is a member of a polygamous marriage, the fact that two people are husband and wife is to be disregarded if—

- (a) one of them is a party to an earlier marriage that still subsists; and
- (b) the other party to that earlier marriage is living in the same household.

(3) The adjustment referred to in sub-paragraph (1) is, to multiply the maximum amount by 12 and divide the product by 52.

(4) In this paragraph “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012(3).

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(3) 2012 c. 5.

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