

SCHEDULE

Council Tax Reduction Schemes (Default Scheme) (Wales)

PART 9

Income and capital for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction

CHAPTER 5

Income: persons who are not pensioners

Average weekly earnings of employed earners: persons who are not pensioners

44.—(1) Where the income of an applicant who is not a pensioner consists of earnings from employment as an employed earner the applicant's average weekly earnings must be estimated by reference to the applicant's earnings from that employment—

(a) over a period immediately preceding the reduction week in which the application is made or treated as made and being a period of—

(i) 5 weeks, if the applicant is paid weekly; or

(ii) 2 months, if the applicant is paid monthly; or

(b) whether or not paragraph (a)(i) or (ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the application is made or treated as made as may, in any particular case, enable the applicant's average weekly earnings to be estimated more accurately.

(2) Where the applicant has been in employment for less than the period specified in subparagraph (1)(a)(i) or (ii)—

(a) if the applicant has received any earnings for the period that the applicant has been in that employment and those earnings are likely to represent the applicant's average weekly earnings from that employment the applicant's average weekly earnings must be estimated by reference to those earnings;

(b) in any other case, the authority must estimate the applicant's average weekly earnings⁽¹⁾.

(3) Where the amount of an applicant's earnings changes the authority must estimate the applicant's average weekly earnings by reference to the applicant's likely earnings from the employment over such period as is appropriate in order that the applicant's average weekly earnings may be estimated accurately but the length of the period will not in any case exceed 52 weeks.

(4) For the purposes of this paragraph the applicant's earnings are to be calculated in accordance with paragraphs 48 and 49 (earnings of employed earners: persons who are not pensioners).

(1) Powers in section 14A of the LGFA 1992 may be used to confer power to require employers to provide information for these purposes.