SCHEDULE 2

Amendments to the principal Regulations

37. After regulation 88 there shall be inserted the following regulation—

"**Calculation of income and capital of a joint-claim couple**

88ZA.—(1) Subject to paragraphs (2) and (4), the income and capital of a joint-claim couple shall be calculated by—

(a) determining the income and capital of each member of that couple in accordance with this Part, and

(b) aggregating the amount determined in respect of each member in accordance with sub-paragraph (*a*).

(2) Where—

(a) a member of a joint-claim couple is aged less than 18;

(b) the other member is aged over 18, and

(c) the applicable amount of the couple falls to be determined under paragraph 1(3)(*g*) or (*h*) of Schedule 1 (applicable amounts),

the income of the joint-claim couple shall not be aggregated to the extent that the amount specified in paragraph 1(3)(*e*) of that Schedule exceeds the amount which applies in that case which is specified in paragraph 1(3)(*g*) or (*h*) of that Schedule.

(3) Where a member of a joint-claim couple is married polygamously to 2 or more members of his household, the joint-claim couple shall be treated as possessing income and capital belonging to each such member and the income and capital of that member shall be calculated in accordance with the following provisions of this Part in like manner as for each member of the joint-claim couple.

(4) Regulations 99(2) (calculation of net earnings of employed earners) and 101(2) (calculation of net profit of self-employed earners) in so far as they relate to paragraphs 5, 7, 8 and 11 of Schedule 5 (earnings to be disregarded) shall not apply to a member of a joint-claim couple but there shall instead be disregarded from the net earnings of a member of a joint-claim couple any sum, where applicable, specified in—

(a) paragraphs 1 to 4 and 13 to 16 of Schedule 5, and

(b) paragraphs 1 to 6 of Schedule 5A.".