

## SCHEDULES

### SCHEDULE 1

#### PERSONAL COMMUNITY CHARGE: EXEMPTION

##### *The severely mentally impaired*

- 4 (1) A person is an exempt individual on a particular day if—
- (a) as regards the day he fulfils one or more of the conditions mentioned in sub-paragraph (2) below,
  - (b) at any time on the day he is severely mentally impaired, and
  - (c) he is stated to be severely mentally impaired at that time in a certificate of a registered medical practitioner.
- (2) The conditions are that—
- (a) he is entitled for the day to an invalidity pension under section 15 of the Social Security Act 1975;
  - (b) he is entitled for the day to a severe disablement allowance under section 36 of that Act;
  - (c) he is on the day of pensionable age within the meaning given by section 27 of that Act.
- (3) A person is severely mentally impaired if he is suffering from—
- (a) a state of arrested or incomplete development of mind which involves severe impairment of intelligence and social functioning, or
  - (b) an injury to the brain causing severe impairment of intelligence and social functioning which appears to be permanent.
- (4) The Secretary of State may by order amend sub-paragraph (2) above as it has effect for the time being (whether by adding, deleting or amending conditions, or by any combination of those methods).
- (5) The Secretary of State may by order substitute another definition for the definition of severe mental impairment for the time being effective for the purposes of this paragraph.