

SCHEDULE 2

PRESCRIBED CIRCUMSTANCES FOR INCREASE OF AN INVALID CARE ALLOWANCE

PART II

Increase of invalid care allowance for adult dependants

6. For the purposes of increases of invalid care allowance for adult dependants under section 49, the prescribed circumstances in which a beneficiary is entitled to such an increase for any period shall be as set out in paragraph 7 below.

7. The weekly rate of an invalid care allowance shall be increased by the amount specified in relation to that allowance in column (3) of Part IV of Schedule 4 to the Act for any period during which the beneficiary is residing with—

- (a) his wife and she is not engaged in any one or more employments from which her weekly earnings exceed that amount; or
- (b) some female person (not being a child) who—
 - (i) has the care of a child or children in respect of whom the beneficiary is entitled to child benefit being a child or children in respect of whom he is entitled to an increase of an invalid care allowance or would be so entitled but for the provisions of any regulation for the time being in force under the Act relating to overlapping benefits; or
 - (ii) is not undergoing imprisonment or detention in legal custody; or
 - (iii) is not engaged in any one or more employments (other than her employment by the beneficiary in caring for a child or children in respect of whom the beneficiary is entitled to child benefit) from which her weekly earnings exceed that amount; or
 - (iv) is not absent from Great Britain, except for any period during which she is residing with the beneficiary outside Great Britain and for which the beneficiary is entitled to an invalid care allowance.

8. A person who is entitled to an increase of an invalid care allowance under paragraph 7(a) above shall not be entitled to an increase of that benefit under paragraph 7(b) above.