

SCHEDULE 5

Capital disregards: pensioners

PART 2

Capital disregarded only for the purpose of determining deemed income

32. Where property is held under a trust, other than—

- (a) a charitable trust within the meaning of the Charities Act 2011⁽¹⁾; or
- (b) a trust set up with any payment to which paragraph 16 applies,

and under the terms of the trust, payments fall to be made, or the trustees have a discretion to make payments, to or for the benefit of the applicant or the applicant's partner, or both, that property.

⁽¹⁾ 2011 c. 25.