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## SCHEDULES

### SCHEDULE 9

#### REBATES UNDER S. 49.

#### PART II

##### *Reckonable income and appropriate limits thereof*

- 9 For the purposes of a rebate application in respect of any rebate period, the applicant's reckonable income shall, subject to paragraphs 10 and 11 of this Schedule, be his income in the relevant assessment period, that is to say, the period of six months ending, if the rebate period begins on 1st April, with the preceding 31st December, or if the rebate period begins on 1st October, with the preceding 30th June.
- 10 If—
- (a) at the date of the making of the application the applicant is married and living with his spouse ; and
  - (b) he was married to, and living with, that spouse for the whole or any part of the relevant assessment period,
- his income in that assessment period shall, subject to paragraph 11 of this Schedule, be deemed to include any income of his spouse in that assessment period or, as the case may be, that part thereof.
- 11 There shall be left out of account for the purposes of paragraphs 9 and 10 of this Schedule—
- (a) any income by way of payments in respect of living accommodation or board made by any person residing or usually resident in the relevant premises within the meaning of paragraph 4 of this Schedule ;
  - (b) in the case of a rebate application by the occupier of a hereditament, such part of any rent received by the occupier from any other person who was (or, if section 49 of this Act had been in force during the relevant assessment period, would have been) entitled to make a rebate application in respect of part of that hereditament as is equal to the amount which, by virtue of paragraph 3 and apart from paragraph 4 of this Schedule, was or would have been the amount of that other person's reckonable rates.
- 12 The limit of income for the purposes of section 49(1)(b) of this Act shall, subject to paragraphs 13 and 14 of this Schedule, be the following amount of income for the six months of the relevant assessment period, namely—
- (a) if at the date of making of the application the applicant is married and living with his spouse, £260 ;
  - (b) in any other case, £208.
- 13 The appropriate limit specified in paragraph 12 of this Schedule shall, subject to paragraph 14 thereof, be increased by £39 for any child, or for each of any children,

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who at the date of the making of the application, being a child of the applicant or in the applicant's care, usually resides with the applicant.

14 The Minister, with the approval of the Treasury, may by order vary either of the limits of income specified in paragraph 12. or the amount of the increase thereof in respect of a child specified in paragraph 13, of this Schedule ; but no such order shall be made unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.

15 For the purposes of this Part of this Schedule, an applicant shall be treated as living with his spouse at any time unless at that time either—

- (a) they are separated under an order of a court of competent jurisdiction or by deed of separation ; or
- (b) they are in fact separated in such circumstances that the separation is likely to be permanent.