
STATUTORY INSTRUMENTS

1992 No. 2977

NATIONAL ASSISTANCE SERVICES

**The National Assistance (Assessment
of Resources) Regulations 1992**

Made - - - - 30th November 1992

Laid before Parliament 4th December 1992

Coming into force 1st April 1993

**THE NATIONAL ASSISTANCE (ASSESSMENT
OF RESOURCES) REGULATIONS 1992**

PART I

GENERAL

1. Citation and Commencement
2. Interpretation
3. Assessing a resident's ability to pay
4. Rounding of fractions
5. Payment by less dependent residents
6. Liable relatives
7. Students
8. Transitional provisions

PART II

TREATMENT OF INCOME

9. Calculation of income
10. Earnings of self-employed earners
11. Calculation of net profit of self-employed earners
12. Weekly amount of net profit of self-employed earners
13. Earnings of employed earners
14. Calculation of net earnings of employed earners
15. Calculation of income other than earnings
16. Capital treated as income
17. Notional income

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

18. Calculation of income derived from employed earners' employment and income other than earnings
19. Weekly amount of income derived from employed earners' income and income other than earnings

PART III

TREATMENT OF CAPITAL

20. Capital limit
21. Calculation of capital
22. Income treated as capital
23. Calculation of capital in the United Kingdom
24. Calculation of capital outside the United Kingdom
25. Notional capital
26. Diminishing notional capital rule
27. Capital jointly held
28. Calculation of tariff income from capital

PART IV

LIABLE RELATIVES

29. Interpretation
30. Treatment of liable relative payments
31. Period over which periodical payments are to be taken into account
32. Period over which payments other than periodical payments are to be taken into account
33. Calculation of the weekly amount of a liable relative payment
34. Liable relative payments to be treated as capital

PART V

STUDENTS

35. Interpretation
36. Calculation of grant income
37. Covenant income where there is no grant income
38. Relationship with amounts disregarded under Schedule 3
39. Treatment of student loans
40. Treatment of access income
Signature

SCHEDULE 1 — TRANSITIONAL PROVISIONS

PART I — INTERPRETATION

1. In this Schedule, unless the context otherwise requires— “the new...

PART II — THE FIRST STAGE

2. This Part of this Schedule applies to any resident who...
3. From the date on which these Regulations come into force...

PART III — THE SECOND STAGE

4. (1) Subject to sub-paragraph (2) and paragraph 5, this Part...
5. This Part of this Schedule shall not apply to—
6. (1) Subject to paragraph (2), the liability of a resident...
7. (1) Subject to paragraph 9, following the projected review of...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

8. (1) Subject to the following provisions of this paragraph, once...
9. Once a resident has been assessed as liable to pay...
10. Once a resident has been assessed as liable to pay...
11. If a resident who has been assessed as liable to...

SCHEDULE 2 — SUMS TO BE DISREGARDED IN THE CALCULATION OF EARNINGS

1. In the case of a resident who—
2. In the case of a resident— (a) who has been...
3. (1) In a case to which this paragraph applies, the...
4. In a case to which paragraph 3 does not apply...
5. Any earnings which would be disregarded under paragraph 11 of...
6. Any amount which would be disregarded under paragraph 4 of...

SCHEDULE 3 — SUMS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

PART I — SUMS TO BE DISREGARDED

1. Any amount paid by way of tax on income which...
2. Any payment in respect of any expenses incurred by a...
3. Any payment which would be disregarded under paragraph 3, 4A...
4. The mobility component of any disability living allowance.
5. Any payment which would be disregarded under paragraph 8 of...
6. If the resident is a temporary resident—
7. Any concessionary payment made to compensate for the non-payment of —...
8. Any amount which would be disregarded under paragraph 10 or...
9. Any amount which would be disregarded under paragraph 13 or...
10. (1) Except where sub-paragraph (2) applies, and subject to paragraphs...
11. Any amount which would be disregarded under paragraph 16 of...
12. Any payment which would be disregarded under paragraphs 17 to...
13. Any income in kind.
14. (1) Any income derived from capital to which the resident...
15. Any income which would be disregarded under paragraph 23 of...
16. Any amount which would be disregarded under paragraph 24 of...
17. Any payment made to a resident in respect of a...
18. Any payment which would be disregarded under paragraph 26 or...
19. Any payment received under an insurance policy, taken out to...
20. Any payment which would be disregarded under paragraph 31 of...
21. Any payment of income which under regulation 22 (income treated...
22. Any payment which would be disregarded under paragraph 33 of...
23. Any payment which would be disregarded under paragraph 38 of...
24. Any payment which would be disregarded under paragraph 39 of...
25. Any amount which would be disregarded under paragraphs 40 to...
26. Any payment of income support made towards housing costs determined...
27. Any housing costs of any temporary resident, including any fuel...
28. Any council tax benefit.

PART II — SPECIAL PROVISIONS RELATING TO CHARITABLE OR VOLUNTARY PAYMENTS AND CERTAIN PENSIONS

29. Paragraph 10 shall not apply to any payment which is...
30. For the purposes of paragraph 10(1), where a number of...
31. The total income to be disregarded pursuant to paragraphs 10(1)...

SCHEDULE 4 — CAPITAL TO BE DISREGARDED

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1. The value of one dwelling (and not more than one...
2. The value of any premises which would be disregarded under...
3. The value of the proceeds of sale of any premises...
4. Any reversionary interest.
5. Any assets which would be disregarded under paragraph 6 of...
6. Any amount which would be disregarded under paragraph 7 of...
7. Any amount which would be disregarded under paragraph 8 or...
8. Any personal possessions except those which had or have been...
9. Any amount which would be disregarded under paragraph 11 of...
10. Any amount which would be disregarded under paragraph 12 of...
11. Any amount which would be disregarded under paragraph 13 of...
12. The value of the right to receive any income which...
13. Any amount which would be disregarded under paragraphs 15, 16,...
14. Any capital which under regulation 16 or 39 (capital treated...
15. Any amount which would be disregarded under paragraphs 21 to...
16. The value of any premises which would be disregarded under...
17. Any amount which would be disregarded under paragraphs 29 to...
18. The value of any premises occupied in whole or in...

Explanatory Note