
WELSH STATUTORY INSTRUMENTS

2002 No. 814 (W.94)

NATIONAL ASSISTANCE SERVICES, WALES

**The National Assistance (Assessment of Resources)
(Amendment) (Wales) Regulations 2002**

Made - - - - 22nd March 2002

Coming into force - - 8th April 2002

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred upon the Secretary of State by section 22(5) of the National Assistance Act 1948⁽¹⁾ and now vested in the National Assembly for Wales⁽²⁾:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2002 and shall come into force on 8th April 2002.

(2) In these Regulations “the principal Regulations” (“*y prif Reoliadau*”) means the National Assistance (Assessment of Resources) Regulations 1992⁽³⁾.

(3) These Regulations shall apply to Wales only.

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 20 (capital limit) for the figure “£18,500” there shall be substituted the figure “£19,000”.

(3) In regulation 28(1) (calculation of tariff income from capital) for the figure “£11,500”, where it appears, there shall be substituted the figure “£11,750” and for the figure “£18,500” there shall be substituted the figure “£19,000”.

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- (1) 1948 c. 29; section 22(5) of the National Assistance Act 1948 was amended by section 39(1) of and paragraph 6 of Schedule 6 to the Ministry of Social Security Act 1966 (c. 20), by section 35(2) of and paragraph 3(b) of Schedule 7 to the Supplementary Benefits Act 1976 (c. 71), by section 20 of and paragraph 2 of Schedule 4 to the Social Security Act 1980 (c. 30), and by section 86 of and paragraph 32 of Schedule 10 to the Social Security Act 1986 (c. 50).
- (2) The functions of the Secretary of State under section 22(5) of the National Assistance Act 1948 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
- (3) S.I. 1992/2977; relevant amending instruments are 1993/964, 1993/2230, 1994/825, 1994/2386, 1995/858, 1995/3054, 1996/602, 1997/485, 1998/497, 1998/1730, 2001/276 and 2001/1409.

Status: This is the original version (as it was originally made).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

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

22nd March 2002

J.E. Randerson
Minister for Culture, Sport and Welsh Language.

(4) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make further amendments to the National Assistance (Assessment of Resources) Regulations 1992 (“the principal Regulations”).

The principal Regulations concern the assessment of the ability of a person (“the resident”) to pay for accommodation arranged by local authorities under Part III of the National Assistance Act 1948. Part III accommodation is arranged for persons aged 18 or over who by reason of age, illness, disability or any other circumstances, are in need of care and attention which is not otherwise available to them, and for expectant and nursing mothers in similar need.

The principal Regulations provide that no resident shall be assessed as unable to pay for Part III accommodation at the standard rate if that resident’s capital calculated in accordance with the principal Regulations, exceeds £18,500. These Regulations amend the principal Regulations to increase the capital limit from £18,500 to £19,000. The principal Regulations also provide for the calculation of a resident’s income to take account of capital which is treated as equivalent to income. These Regulations amend the upper and lower limits of such capital between which each complete £250, or any part which is not a complete £250 is treated as equivalent to a weekly income of £1.