

2008 No. 91

HEALTH AND PERSONAL SOCIAL SERVICES

The Health and Personal Social Services (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 2008

Made - - - - *7th March 2008*

Coming into operation - *7th April 2008*

The Department of Health, Social Services and Public Safety^(a), in exercise of the powers conferred by Articles 36(6) and 99(5) of the Health and Personal Social Services (Northern Ireland) Order 1972^(b), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Personal Social Services (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 07 April 2008.

(2) In these Regulations “the principal regulations” means the Health and Personal Social Services (Assessment of Resources) Regulations (Northern Ireland) 1993^(c).

Amendment of regulation 20 (capital limit) of the principal regulations

2. In regulation 20^(d) (capital limit) of the principal regulations for “£21,500” substitute “£22,250”.

Amendment of regulation 28(1) of the principal regulations

3. In regulation 28(1)^(e) (calculation of tariff income from capital) of the principal regulations—

- (a) for “£13,000” (both times it appears) substitute “£13,500”; and
- (b) for “£21,500” substitute “£22,250”.

(a) See Article 3(6) of S.I. 1999/283 (N.I. 1)
(b) S.I. 1972/1265 (N.I. 14); Article 36 was substituted by Article 25 of S.I. 1991/194 (N.I. 1) and then amended by paragraph 2(4) and (5) of Schedule 1 to S.I. 1992/3204 (N.I. 20), section 1 of 2002 c.9 (N.I.), section 4 of 2002 c.5 (N.I.) and Article 45 of S.I. 2003/431 (N.I. 9); Article 99 was substituted by Article 27 of S.I. 1991/194 (N.I. 1) and amended by section 1(3) of 2002 c.9 (N.I.)
(c) S.R. 1993 No. 127, the relevant amending instrument is S.R. 2007 No. 161
(d) Regulation 20 was amended by regulation 2 of S.R. 2007 No. 161
(e) Regulation 28 was amended by regulation 3 of S.R. 2007 No. 161

Amendment of Schedule 3 to the principal regulations

4. In paragraph 27(H)(a) of Schedule 3 to the principal regulations (sums to be disregarded in the calculation of income other than earnings)—

- (a) in sub-paragraphs (1) and (2), for “£5.25” (each time it appears) substitute “£5.45”;
- (b) in sub-paragraphs (3) and (4), for “£7.85” (each time it appears) substitute “£8.15”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on
7th March 2008



Castle Buildings
7th March 2008

Christine Jendoubi
A senior officer of the
Department of Health, Social Services and Public Safety

(a) Paragraph 27(H) was added by regulation 3 of S.R 2003 No. 428 and amended by regulation 4 of S.R. 2007 No. 161

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make further amendments to the Health and Personal Social Services (Assessment of Resources) Regulations (Northern Ireland) 1993 (“the principal regulations”) which relate to the assessment by Health and Social Services Boards and HSC Trusts of the resources of residents in accommodation arranged under Articles 15 and 36 of the Health and Personal Social Services (Northern Ireland) Order 1972.

Regulation 2 amends the principal regulations so that the capital limit set out in regulation 20 becomes £22,250.

Regulation 3 amends the principal regulations so that the capital limits set out in regulation 28(1) becomes £13,500 and £22,250.

Regulation 4 provides for an increase to £5.45 where the resident does not have a partner or £8.15 where the resident has a partner in the amount of savings credit to be disregarded in calculating a resident’s income.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of the business.