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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 43**

**NATIONAL ASSISTANCE SERVICES**

**The National Assistance (Assessment of Resources)  
Amendment (Scotland) Regulations 2018**

<i>Made</i>	- - - -	<i>6th February 2018</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>8th February 2018</i>
<i>Coming into force</i>	- -	<i>9th April 2018</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 22(5) of the National Assistance Act 1948(1), as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968(2), and all other powers enabling them to do so.

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- (1) [1948 c.29](#) (11 and 12 Geo. 6). Section 22(5) was relevantly amended by the Social Security Act 1980 ([c.30](#)), schedule 4, paragraph 2(1). The functions of the Secretary of State so far as exercisable within devolved competence were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 ([c.46](#)).
- (2) [1968 c.49](#) (“the 1968 Act”). Section 87(3) of the 1968 Act was amended by section 28(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 ([asp 13](#)) (“the 2003 Act”) and by section 62(2) of the Adult Support and Protection (Scotland) Act 2007 ([asp 10](#)). Section 87(4) of the 1968 Act was amended by section 28(1) of the 2003 Act. By virtue of section 87(3) of the 1968 Act, accommodation provided under that Act or under section 25 of the 2003 Act is regarded as accommodation provided under Part III of the 1948 Act.