
STATUTORY INSTRUMENTS

1991 No. 437

NATIONAL ASSISTANCE SERVICES

The National Assistance (Charges for Accommodation) Amendment Regulations 1991

<i>Made</i>	- - - -	<i>4th March 1991</i>
<i>Laid before Parliament</i>		<i>8th March 1991</i>
<i>Coming into force</i>	- -	<i>8th March 1991</i>

The Secretary of State for Health, in exercise of the powers conferred by sections 22(3) and (4) of the National Assistance Act 1948⁽¹⁾ and now vested in him⁽²⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the National Assistance (Charges for Accommodation) Amendment Regulations 1991 and shall come into force on 8th April 1991.

Amendment of Regulations

2. The National Assistance (Charges for Accommodation) Regulations 1989⁽³⁾ are amended as follows:—

- (a) in regulation 2(1) (minimum rate of liability to pay for accommodation) for “£37.50” there is substituted “£41.60”;
- (b) in regulation 2(2) (minimum rate of liability to pay for accommodation of a child)—
 - (i) for “£12.35” (child under 11) there is substituted “£13.35”; and
 - (ii) for “£18.25” (child 11 or over but under 16) there is substituted “£19.75”;
- (c) in regulation 3 (sum needed for personal requirements) for “£9.40” there is substituted “£10.40”;
- (d) after regulation 4 there is added the following regulation:—

(1) 1948 c. 29; section 22(3) was amended by paragraph 3(a) of Schedule 7 to the Supplementary Benefits Act 1976 (c. 71), by paragraph 32(1) of Schedule 10 to the Social Security Act 1986 (c. 50); see definitions of “the Minister” in section 35(1) and “prescribed” in section 64(1).

(2) See the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), article 2, which transferred all functions of the Minister of Health to the Secretary of State. See also the Transfer of Functions (Health and Social Security) Order 1988 (S.I. 1988/1843).

(3) S.I. 1989/307, amended by S.I. 1990/498.

Status: This is the original version (as it was originally made).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

“Extent

5. These Regulations do not apply to Scotland.”.

Revocation

3. The National Assistance (Charges for Accommodation) Amendment Regulations 1990(4) are hereby revoked.

4th March 1991

William Waldegrave
Secretary of State for Health

(4) S.I. [1990/498](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase the normal minimum weekly amount which a person is required to pay for accommodation managed by a local authority under Part III of the National Assistance Act 1948 from £37.50 to £41.60; in the case of a child accompanied by a person aged over 16 the increase is from £18.25 to £19.75 if the child is aged at least 11 but is under 16 and from £12.35 to £13.35 if he is under 11. The weekly sum which, in assessing a person's ability to pay for the accommodation, a local authority must (in the absence of special circumstances), assume will be needed for personal requirements is increased from £9.40 to £10.40 (in addition to the amount of attendance allowance, or constant attendance allowance where this is payable). These Regulations also make it clear that the National Assistance (Charges for Accommodation) Regulations 1989 (which are amended by these Regulations) do not apply to Scotland, for which separate provision is made and revoke the National Assistance (Charges for Accommodation) Amendment Regulations 1990 which are superseded by these Regulations.