
STATUTORY INSTRUMENTS

1992 No. 2977

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

PART II

TREATMENT OF INCOME

Capital treated as income

16.—(1) Any capital payable to the resident by instalments which—

- (a) are outstanding on the first day from which a resident becomes liable to pay for his accommodation; or
- (b) where a local authority limits the payments required from a resident for his accommodation pursuant to section 22(5A) of the Act, are outstanding on the first day on which the local authority ceases to limit the payments required from the resident pursuant to section 22(5A) of the Act,

shall, if the aggregate of the instalments outstanding and the amount of the resident's capital otherwise calculated in accordance with Part III of these Regulations exceeds the amount specified in regulation 41(1) of the Income Support Regulations⁽¹⁾ (capital treated as income), be treated as income.

(2) Any payment received under an annuity shall be treated as income.

(3) Any earnings to the extent that they are not a payment of income shall be treated as income.

⁽¹⁾ Amended by regulation 5(2) of S.I.1990/671. The amount specified is currently £8,000.