
WELSH STATUTORY INSTRUMENTS

2001 No. 1409

The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2001

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Assistance (Assessment of Resources) (Amendment No.2) (Wales) Regulations 2001 and shall come into force for the purposes of Regulation 2(6) on 12th April 2001 and for all other purposes on 9th April 2001.

(2) In these Regulations “the principal Regulations” (“y prif Reoliadau”) means the National Assistance (Assessment of Resources) Regulations 1992(1).

(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 2(1) (interpretation) there shall be inserted after the definition of “partner”, the following definition—

““permanent resident” means a resident who is not a temporary resident.”.

(3) In regulation 20 (capital limit) for the figure “£16,000” there shall be substituted the figure “£18,500”.

(4) In regulation 28(1) (calculation of tariff income from capital) for the figure “£10,000”, where it appears, there shall be substituted the figure “£11,500” and for the figure “£16,000” there shall be substituted the figure of “£18,500”.

(5) In Schedule 4 to the principal Regulations, after paragraph 1, there shall be inserted the following paragraph—

“1A.—(1) In the case of a resident who becomes a permanent resident on or after 9 April 2001 (“a qualifying resident”) in respect of the first period of permanent residence the value of any dwelling which he would otherwise normally occupy as his only or main residence (“his home”) for a period of 12 weeks beginning with the day on which the first period of residence begins.

(2) In the case of a qualifying resident

(a) who ceases to be a permanent resident, and

(b) who subsequently becomes a permanent resident again at any time within the period of 52 weeks from the end of the first period of permanent residence,

the value of his home for such period (if any) which when added to the period disregarded under subparagraph (1) in respect of his first period of permanent residence does not exceed 12 weeks in total.

(3) In the case of a qualifying resident

(1) S.I.1992/2977 as amended by S.I. 1993/964, 1993/2230, 1994/825, 1994/2386, 1995/858, 1995/3054, 1996/602, 1997/485, 1998/497, 1998/1730, 2001/276 (W.12), and, in relation to England only S.I. 2001/58.

- (a) who ceases to be a permanent resident and is not a person to whom sub-paragraph (2) has applied, and
- (b) who subsequently becomes a permanent resident again at any time after a period of more than 52 weeks from the end of the first period of residence,

the value of his home for a period of 12 weeks beginning with the day on which the second period of permanent residence begins.

(4) In this paragraph “the first period of permanent residence” means the period of permanent residence beginning on or after 9th April 2001 and “the second period of permanent residence” means the period of permanent residence beginning at anytime after the period of 52 weeks referred to in subparagraph (3)(b).”

(6) In the said Schedule 4, after paragraph 20, there shall be inserted the following paragraph—

“**21.** Any payment which would be disregarded under paragraph 64 of Schedule 10 to the Income Support Regulations (payments under a trust established out of funds provided by the Secretary of State in respect of persons who suffered or are suffering from variant Creutzfeld-Jacob disease).”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

4th April 2001

Dafydd Elis Thomas
The Presiding Officer of the National Assembly