
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 105

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

Amendment of Schedule 4 to the principal Regulations

5. In Schedule 4 to the principal Regulations, after paragraph 20, insert the following paragraphs:—

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

(2) In the case of a resident who has had capital disregarded under sub paragraph (1) in respect of a period of permanent residence (the first period of residence) who, having ceased to be such a resident, subsequently becomes a permanent resident again and does so within 52 weeks of the end of the first period of residence the value of any dwelling which he would otherwise normally occupy as his only or main residence; but only for such period (if any) when added to the period disregarded in respect of the first period of residence which does not exceed 12 weeks in total.

(3) In the case of a resident who has had capital disregarded under sub paragraph (1) in respect of a period of permanent residence (the first period of residence) who, having ceased to be such a resident, subsequently becomes a permanent resident again and does so more than 52 weeks after the end of the first period of residence the value of any dwelling which he would otherwise normally occupy as his only or main residence; but only for a period of 12 weeks beginning with the day on which the second period of residence begins.

22. 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 suffering from variant Creutzfeldt-Jakob Disease).”.