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STATUTORY INSTRUMENTS

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1982 No. 1399

## NATIONAL ASSISTANCE SERVICES

**The National Assistance (Charges for Accommodation)  
Regulations 1982**

<i>Made - - - -</i>	<i>30th September 1982</i>
<i>Laid before Parliament</i>	<i>7th October 1982</i>
<i>Coming into Operation</i>	<i>22nd November 1982</i>

The Secretary of State for Social Services, in exercise of powers conferred by section 22 of the National Assistance Act 1948 (a) and now vested in him (b) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the National Assistance (Charges for Accommodation) Regulations 1982 and shall come into operation on 22nd November 1982.

(2) In these regulations—

“the Act” means the National Assistance Act 1948;

“Personal Injuries Scheme”, “Service Pensions Instrument” and “1914–18 War Injuries Scheme” have the same meanings as in the Social Security (Overlapping Benefits) Regulations 1979 (c).

*Minimum charges*

2.—(1) The liability of a person under section 22(3) of the Act (rate of liability to pay for accommodation provided under Part III of the Act) to pay for accommodation provided for him in premises managed by a local authority shall in no case be reduced below the sum of £26.30 per week.

(2) Where accommodation is provided for a child accompanied by a person over the age of 16, the liability of that person under section 22(3) and (7) of the Act to pay for the accommodation of that child shall in no case be reduced below whichever of the following sums is appropriate, that is to say—

(a) in respect of a child under the age of 11, the sum of £8.75 per week;

(b) in respect of a child aged 11 years or over but under the age of 16, the sum of £13.15 per week.

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(a) 1948 c.29.

(b) See The Secretary of State for Social Services Order 1968 (S.I. 1968/1699), Art. 2.

(c) S.I. 1979/597, amended by S.I. 1980/1927.

*Sum needed for personal requirements*

3. The sum which a local authority shall under section 22(4) of the Act assume that a person needs for his personal requirements shall be £6.55 per week except that where that person is someone to whom there is payable attendance allowance under the provisions of section 35 of the Social Security Act 1975 (a) or constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914–18 War Injuries Scheme, the said sum of £6.55 shall in respect of each week there is payable attendance allowance or constant attendance allowance be increased by the amount of such allowance.

*Revocation*

4. The National Assistance (Charges for Accommodation) Regulations 1981(b) are hereby revoked.

Signed by authority of the Secretary of State for Social Services.

*Hugh Rossi,*  
Minister of State,  
Department of Health and Social Security.

30th September 1982.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations supersede the National Assistance (Charges for Accommodation) Regulations 1981. They prescribe an increased 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 and increased minimum weekly amounts required to be paid for that accommodation in respect of a child accompanying such a person according to whether the child is under the age of 11 or between the ages of 11 and 16. The Regulations also increase the weekly sum which, in assessing a person's ability to pay for such accommodation, a local authority is, in the absence of special circumstances, to assume will be needed for personal requirements.

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(a) 1975 c.14; in section 35, subsections (2)(b), (3) and (4)(a) were amended and subsections (2A) and (5A) inserted by the Social Security Act 1979 (c.18), section 2; subsection (4A) was inserted by the Social Security Act 1980 (c.30), Schedule 1, paragraph 8; and subsection (6)(a) was amended by the National Health Service Act 1977 (c.49), Schedule 15, paragraph 63.

(b) S.I. 1981/968.



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