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## EXPLANATORY NOTE

*(This note does not form part of the Regulations)*

These Regulations make further amendments to the National Assistance (Assessment of Resources) Regulations 1992 (“the principal Regulations”).

The principal Regulations concern the assessment of the ability of a person (“the resident”) to pay for accommodation arranged by local authorities under Part III of the National Assistance Act 1948. Part III accommodation is arranged for persons aged 18 or over who by reason of age, illness, disability or any other circumstances, are in need of care and attention which is not otherwise available to them, and for expectant and nursing mothers in similar need.

The principal Regulations provide that no resident shall be assessed as unable to pay for Part III accommodation at the standard rate if that resident’s capital, calculated in accordance with the principal Regulations, exceeds £16,000.

These Regulations amend the principal Regulations so that an ex-gratia payment of £10,000 made by the Department of Social Security on or after 1st February 2001 is disregarded, for the purpose of assessing a resident’s capital, where such payment is made in consequence of the imprisonment or internment by the Japanese during the Second World War of —

- (a) the resident;
- (b) the resident’s partner;
- (c) the resident’s deceased spouse; or
- (d) the resident’s partner’s deceased spouse.