

SCHEDULE 8

SUMS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

29. Any payment made to the claimant or the claimant's partner for a person (“the person concerned”), who is not normally a member of the claimant's household but is temporarily in the claimant's care, by—

- (a) a health authority;
- (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
- (c) a voluntary organisation;
- (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948 ^{F1};
- ^{F2}(da) [^{F3}an integrated care board];
- (db) the National Health Service Commissioning Board; ^{F4}...]
- ^{F5}(e)
- (f) a Local Health Board established under section 16BA of the National Health Service Act 1977 or by an order made under section 11 of the Health Service (Wales) Act; [^{F6}or
- (g) [^{F6}the person concerned where the payment is for the provision of accommodation in respect of the meeting of that person’s needs under section 18 or 19 of the Care Act 2014 (duty and power to meet needs for care and support) [^{F7}or under section 35 or 36 of the Social Services and Well-being (Wales) Act 2014 (duty and powers to meet care and support needs of an adult)].]

Textual Amendments

- F1** 1948 c. 29. Section 26(3A) was inserted by the [National Health Service and Community Care Act 1990 \(c. 19\)](#), [section 42\(4\)](#).
- F2** Sch. 8 para. 29(da)(db) inserted (1.4.2013) by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), [Sch. 2 para. 116\(3\)\(a\)](#)
- F3** Words in Sch. 8 para. 29(da) substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), reg. 1(2), Sch. para. 1(1)(3) (with Sch. para. 1(2))
- F4** Word in Sch. 8 para. 29(db) omitted (1.4.2015) by virtue of [The Care Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Order 2015 \(S.I. 2015/643\)](#), art. 1(2), [Sch. para. 29\(3\)\(a\)\(i\)](#) (with art. 4)
- F5** Sch. 8 para. 29(e) and word omitted (1.4.2013) by virtue of [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), [Sch. 2 para. 116\(3\)\(b\)](#)
- F6** Sch. 8 para. 29(g) and word inserted (1.4.2015) by [The Care Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Order 2015 \(S.I. 2015/643\)](#), art. 1(2), [Sch. para. 29\(3\)\(a\)\(ii\)](#) (with art. 4)
- F7** Words in Sch. 8 para. 29(g) inserted (3.11.2017) by [The Social Services and Well-being \(Wales\) Act 2014 and the Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Order 2017 \(S.I. 2017/901\)](#), arts. 1, [13\(4\)\(b\)](#)

Status:

Point in time view as at 18/10/2022.

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2008, Paragraph 29.