
STATUTORY INSTRUMENTS

2022 No. 743

SOCIAL CARE, ENGLAND

The Care and Support (Charging and Assessment of Resources) (Amendment) (No. 2) Regulations 2022

<i>Made</i>	- - - -	<i>at 12.30 p.m. on 30th June 2022</i>
<i>Laid before Parliament</i>		<i>at 4.45 p.m. on 30th June 2022</i>
<i>Coming into force</i>	- -	<i>14th July 2022</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 17(7), (11) and (12) and 125(7) of the Care Act 2014⁽¹⁾.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Care and Support (Charging and Assessment of Resources) (Amendment) (No. 2) Regulations 2022 and come into force on 14th July 2022.

(2) These Regulations extend to England and Wales.

Amendment of the Care and Support (Charging and Assessment of Resources) Regulations 2014

2. In Schedule 2 to the Care and Support (Charging and Assessment of Resources) Regulations 2014⁽²⁾ (capital to be disregarded), after paragraph 40⁽³⁾ insert—

“**41.** Any payment made to the adult which would be disregarded under section 8 of the Social Security (Additional Payments) Act 2022⁽⁴⁾ (payments to be disregarded for the purposes of tax and social security).”

Signed by authority of the Secretary of State for Health and Social Care

(1) 2014 c. 23.
(2) S.I. 2014/2672, to which there are amendments not relevant to these Regulations.
(3) Paragraph 40 was inserted by S.I. 2022/243.
(4) 2022 c. 38.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

At 12.30 p.m. on 30th June 2022

Gillian Keegan
Minister of State,
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Care and Support (Charging and Assessment of Resources) Regulations 2014 (S.I. 2014/2672) (“the 2014 Regulations”). Schedule 2 to the 2014 Regulations lists categories of capital that must be disregarded by local authorities when calculating someone’s assets for charging purposes.

Regulation 2 inserts a new paragraph 41 into Schedule 2 to the 2014 Regulations. Paragraph 41 provides that payments made to an adult which would be disregarded under section 8 of the Social Security (Additional Payments) Act 2022 (“the Act”), are to be disregarded in the calculation of the adult’s capital for the purpose of an assessment of that adult’s financial resources. The Act makes provision about additional payments to recipients of means-tested benefits, tax credits and disability benefits.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.