
EXPLANATORY NOTE

(This note is not part of the regulations.)

These regulations make further amendments to the Health and Personal Social Services (Assessment of Resources) Regulations (Northern Ireland) 1993 (“the principal regulations”) which relate to the assessment by Health and Social Services Boards and HSS trusts of the resources of residents in accommodation arranged under Article 15 and 36 of the Health and Personal Social Services (Northern Ireland) Order 1972.

The principal regulations are amended so that—

- (a) the capital limit above which a resident is not entitled to be assessed as unable to pay for accommodation is increased from £8,000 to £16,000;
- (b) weekly tariff income is to be calculated on a resident’s capital between £10,000 and £16,000 instead of on the previous lower and upper limits of £3,000 and £8,000;
- (c) one half of a resident’s occupational pension is to be disregarded as income other than earnings, where the resident makes an equivalent amount available to his spouse for the spouse’s maintenance; and
- (d) any interest in property which a resident will or may possess in the future but does not possess at the time his ability to pay for his accommodation is assessed continues to be disregarded. It does not apply to such interest where the property in question is land or premises in respect of which the resident has granted a subsisting lease or tenancy or a subsisting sub-lease or sub-tenancy.