
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 103

**The National Assistance (Assessment of Resources)
Amendment (Scotland) Regulations 2004**

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2004 and shall come into force on 12th April 2004.

(2) In these Regulations “the principal Regulations” means the National Assistance (Assessment of Resources) Regulations 1992(1).

(3) These Regulations extend to Scotland only.

Amendment of regulation 20 of the principal Regulations

2. In regulation 20 (capital limit) of the principal Regulations, for the amount “£18,500”, substitute the amount “£19,000”(2).

Amendment of regulation 28(1) of the principal Regulations

3. In regulation 28(1) (calculation of tariff income from capital) of the principal Regulations—

- (a) for the amount “£11,500” (both times it appears) substitute the amount “£11,750”(3); and
- (b) for the amount “£18,500” substitute the amount “£19,000”(4).

Amendment of Schedule 3 to the principal Regulations

4. In paragraph 28G of Schedule 3 to the principal Regulations(5) (sums to be disregarded in the calculation of income other than earnings)—

- (a) in sub-paragraphs (1) and (2), for the amount “£4.50” (each time it appears) substitute the amount “£4.65”;
- (b) in sub-paragraph (3), for the amount “£6.75” (each time it appears) substitute the amount “£6.95”; and
- (c) for sub-paragraphs (4) and (5) substitute the following sub-paragraphs—
 - “(4) Subject to sub-paragraph (5) where a resident—
 - (a) has a partner;
 - (b) has—
 - (i) attained the age of 65; or

(1) S.I.1992/2977 (“the principal Regulations”).

(2) Regulation 20 of the principal Regulations was amended by S.I. 1996/602 and by S.S.I. 2001/138. The previous amount was set by S.S.I. 2001/138.

(3) Regulation 28 of the principal Regulations was amended by S.I. 1996/602 and by S.S.I. 2001/138. The previous amount was set by S.S.I. 2001/138.

(4) The previous amount was set by S.S.I. 2001/138.

(5) Paragraph 28G to Schedule 3 to the principal Regulations was inserted by S.S.I. 2003/425.

Status: This is the original version (as it was originally made).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

- (ii) has attained the qualifying age and his partner has attained the age of 65; and
 - (c) has qualifying income in excess of the standard minimum guarantee, a sum of £6.95.
- (5) Where—
- (a) the sum referred to in sub-paragraph (4) has been disregarded in the assessment of the resident's partner's income under these Regulations, or
 - (b) the resident's partner is in receipt of savings credit, sub paragraph (4) does not apply to the resident.”.

Revocation

5. Regulations 3 and 4 of the National Assistance (Assessment of Resources) Amendment (No. 3) (Scotland) Regulations 2001⁽⁶⁾ are hereby revoked.

St Andrew's House, Edinburgh
8th March 2004

TOM McCABE
Authorised to sign by the Scottish Ministers

⁽⁶⁾ S.S.I. 2001/138.