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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 13**

**NATIONAL ASSISTANCE SERVICES**

**The National Assistance (Assessment of Resources)  
Amendment (Scotland) Regulations 2008**

<i>Made</i>	- - - -	<i>21st January 2008</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>23rd January 2008</i>
<i>Coming into force</i>	- -	<i>7th April 2008</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 22(5) of the National Assistance Act 1948(1), as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968(2), and all other powers enabling them to do so.

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- (1) 1948 c. 29. Section 22(5) was relevantly amended by the Social Security Act 1980 (c. 30), Schedule 4, paragraph 2(1). The functions of the Secretary of State so far as they are exercisable in Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
- (2) 1968 c. 49 (“the 1968 Act”). Section 87(3) of the 1968 Act was amended by the Social Security Act 1980 (c. 30), Schedule 4, paragraph 5(1); the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 20(2); the Social Security Act 1986 (c. 50), Schedule 10, paragraph 41(2); the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), Schedule 9, paragraph 10(13) and the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) (“the 2003 Act”), section 28(1). Section 87(4) of the 1968 Act was amended by the 1990 Act, Schedule 9, paragraph 10(13) and by the 2003 Act, section 28(1). By virtue of section 87(3) of the 1968 Act, accommodation provided under that Act or under section 25 of the 2003 Act is regarded as accommodation provided under Part III of the National Assistance Act 1948 (c. 29).