
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 80

NATIONAL ASSISTANCE SERVICES

**The National Assistance (Assessment of Resources)
Amendment (Scotland) (No. 2) Regulations 2016**

Made - - - - 2nd February 2016
Laid before the Scottish
Parliament - - - - 4th February 2016
Coming into force in accordance with regulation 1

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](#) (11 and 12 Geo.6) (“the 1948 Act”). 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 exercisable within devolved competence were transferred to the Scottish Ministers by 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 section 28(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 ([asp 13](#)) (“the 2003 Act”) and by section 62(2) of the Adult Support and Protection (Scotland) Act 2007 ([asp 10](#)). Section 87(4) of the 1968 Act was amended by section 28(1) of the 2003 Act. 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 1948 Act and sections 22(2) to (8) and 26(2) to (4) of the 1948 Act are applied accordingly.