
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the amount which a local authority shall assume that a person will need for their personal requirements per week, in assessing the person's liability to pay for accommodation provided under the Social Work (Scotland) Act 1968 ("the 1968 Act") or section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003.

Section 22(4) of the National Assistance Act 1948 as applied by section 87(3) and (4) of the 1968 Act requires a local authority to assume in assessing a person's liability to pay for accommodation provided under the 1968 Act or section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 that the person will need for their personal requirements such sum per week as may be prescribed by regulations.

These Regulations prescribe the sum which will be £31.00 per week from 11 April 2021.

These Regulations revoke the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2021 and regulation 3 of the National Assistance (Assessment of Resources and Sums for Personal Requirements) Amendment (Scotland) Regulations 2021 which previously prescribed £29.30 as the sum persons were assumed to need for personal requirements per week with effect from 12 April 2021.

No Business and Regulatory Impact Assessment has been prepared in respect of these Regulations on the basis that there is no foreseeable impact on business, charities or voluntary bodies.