
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Assistance (Assessment of Resources) Regulations 1992 (“the principal Regulations”). The principal Regulations concern the assessment of a person’s liability to pay for accommodation provided under the Social Work (Scotland) Act 1968 (“the 1968 Act”). By virtue of section 87(3) of the 1968 Act, accommodation provided under the 1968 Act or section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 is to be regarded as accommodation provided under Part III of the National Assistance Act 1948.

Regulation 2 amends the principal Regulations so that the capital limit set out in regulation 20 is increased from £28,750 to £29,750.

Regulation 3 amends the principal Regulations so that the capital limits set out in regulation 28(1) are increased from £18,00 and £28,750 to £18,500 and £29,750 respectively.

Regulation 4 amends the principal Regulations so that the amounts of savings credit to be disregarded from income in accordance with paragraph 28G of schedule 3 are increased from £6.90 and £10.25 to £7.30 and £10.85 respectively.

Regulation 5 revokes regulation 3(a) of the National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2020, the National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2021 and regulation 2 of the National Assistance (Assessment of Resources and Sums for Personal Requirements) Amendment (Scotland) Regulations 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.