

STATUTORY INSTRUMENTS

1993 No. 518

The Social Security Benefits (Miscellaneous Amendments) Regulations 1993

Amendment of the Social Security (Attendance Allowance) Regulations 1991

2.—(1) The Social Security (Attendance Allowance) Regulations 1991 ^{M1} shall be further amended in accordance with the following provisions of this regulation.

(2) In regulation 7, (persons in certain accommodation other than hospitals)—

- (a) in sub-paragraph (a)(i) of paragraph (1), the words “or paragraph 2 of Schedule 8 to the NHS Act of 1977” shall be omitted;
- (b) in sub-paragraph (b) of paragraph (3), for the word “accommodation;” there shall be substituted the words “ accommodation, and has a preserved right for the purposes of regulation 8(3) of the Social Security Benefits (Amendments Consequential Upon the Introduction of Community Care) Regulations 1992 ^{M2}; ”;
- (c) in paragraph (4), for the words “This paragraph” there shall be substituted the words “ Subject to paragraph (4A), this paragraph ”; and
- (d) after paragraph (4), there shall be inserted the following paragraph—

“(4A) Paragraph (4)(b) shall apply in the case of a person who does not have a preserved right for the purposes of regulation 8(3) of the Social Security Benefits (Amendments Consequential Upon the Introduction of Community Care) Regulations 1992 ^{M3} as if the words “and at least 4 other persons” to the end of sub-paragraph (b) were omitted.”.

(3) In regulation 8 ^{M4} (persons exempt from regulations relating to hospitalisation and persons in certain accommodation other than hospitals)—

- (a) in paragraph (4), after the words “shall not apply” there shall be inserted the words “ except in a case to which paragraph (7) applies ”;
- (b) in paragraph (5), after the words “or other institution” there shall be inserted the words “ whose primary function is to provide palliative care for persons resident there who are suffering from a progressive disease in its final stages ”;
- (c) in paragraph (6), after the words “shall not apply” there shall be inserted the words “ except in a case to which paragraph (7) applies ”; and
- (d) after paragraph (6), there shall be added the following paragraph—

“(7) This paragraph applies in the case of a person who is residing in a home owned or managed, or owned and managed, by a local authority.”.

Marginal Citations

M1 [S.I. 1991/2740](#); the relevant amending instrument is [S.I. 1992/3147](#).

M2 [S.I. 1992/3147](#).

M3 [S.I. 1992/3147](#).

Changes to legislation: *There are currently no known outstanding effects for the The Social Security Benefits (Miscellaneous Amendments) Regulations 1993, Section 2. (See end of Document for details)*

M4 Paragraphs (4) and (5) were added by [S.I. 1992/3147](#).

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