
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England, amend the National Assistance (Sums for Personal Requirements) (England) Regulations 2003 (“the Personal Requirements Regulations”) and make further amendments to the National Assistance (Assessment of Resources) Regulations 1992 (“the Assessment Regulations”).

Regulation 2 amends the Personal Requirements Regulations so that the weekly sum which local authorities in England are to assume, in the absence of special requirements, that residents in accommodation arranged under Part 3 of the National Assistance Act 1948 (“the 1948 Act”) will need for their personal requirements is increased to £23.90.

The Assessment Regulations concern the assessment of the ability of a person to pay for accommodation arranged by local authorities under Part 3 of the 1948 Act. These Regulations amend the Assessment Regulations to disregard the earnings of self-employed earners and those of employed earners when calculating the amount a person is liable to pay for that accommodation. This is achieved by inserting a new regulation 9A to disregard the earnings of employed and self-employed earners and to define the meaning of “earnings” in each case (regulation 4) and by omitting regulations 10 to 14 inclusive of the Assessment Regulations (regulation 5) and omitting Schedule 2 to the Assessment Regulations (regulation 8). Regulations 3, 6 and 7 make consequential amendments.

An assessment of the impact of these Regulations, in so far as they concern amendment of the Assessment Regulations, has been made. Copies of that Impact Assessment are available at:<http://transparency.dh.gov.uk/2013/02/27/earnings-disregard/>

An assessment of the impact of these Regulations, in so far as they concern amendment of the Personal Requirements Regulations, has not been published as they have no impact on the private sector or civil society organisations.