
STATUTORY INSTRUMENTS

2017 No. 555

The Care and Support (Charging and Assessment of Resources) (Amendment) Regulations 2017

Amendment of the Care and Support (Charging and Assessment of Resources) Regulations 2014

2. Part 1 of Schedule 1 to the Care and Support (Charging and Assessment of Resources) Regulations 2014⁽¹⁾ (sums to be disregarded in the calculation of income) is amended as follows—

- (a) in paragraph 17, for “and as if the reference in paragraph 16(a)” to the end of the paragraph, substitute—

“and as if in paragraph 16(a) of Schedule 9 to the Income Support Regulations—

- (a) the reference to a war disablement pension did not include a reference to a war disablement pension falling within paragraph 17A of this Schedule, and
(b) the reference to paragraph 8 or 9 of that Schedule 9 were a reference to paragraph 10 or 11 of this Schedule.”,

- (b) after paragraph 17, insert—

“**17A.**—(1) Any war disablement pension paid to the adult in respect of their service in the armed forces, other than—

- (a) any amount of such pension which is to be disregarded under paragraph 10 or paragraph 11 of this Schedule,
(b) any award of constant attendance allowance.

- (2) In this paragraph—

“constant attendance allowance” means the allowance described in article 8 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006⁽²⁾,

“war disablement pension” means any retired pay or pension or allowance payable in respect of disablement under—

- (a) an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003⁽³⁾,

(1) [S.I. 2014/2672](#), as amended by [S.I. 2015/644](#).

(2) [S.I. 2006/606](#), as amended by [S.I. 2009/706](#).

(3) [2003 c.1](#). Section 639(2) was inserted by section 19(4) of the Finance Act 2005 ([c.7](#)). The instruments specified are: Defence (Local Defence Volunteers) Regulations 1940 (S.R. & O. 1940/748), War Pensions (Coastguards) Scheme 1944 (S.R. & O. 1944/500), War Pensions (Naval Auxiliary Personnel) Scheme 1964 ([S.I.1964/1985](#)), Pensions (Polish Forces) Scheme 1964 ([S.I.1964/2007](#)), War Pensions (Mercantile Marine) Scheme 1964 ([S.I.1964/2058](#)), Order by Her Majesty concerning pensions and other grants in respect of disablement or death due to service in the Home Guard (1964 Cmnd. 2563), Order by Her Majesty concerning pensions and other grants in respect of disablement or death due to service in the Home Guard after 27th April 1952 (1964 Cmnd. 2564), Order by Her Majesty concerning pensions and other grants in respect of disablement or death due to service in the Ulster Defence Regiment (1971 Cmnd. 4567), Personal Injuries (Civilians) Scheme 1983 ([S.I.1983/686](#)), and Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 ([S.I.1983/883](#)).

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- (b) the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.”.