

2021 No. 717

SOCIAL CARE, ENGLAND

**The Care and Support (Charging and Assessment of Resources)
(Amendment) Regulations 2021**

<i>Made</i>	- - - -	<i>16th June 2021</i>
<i>Laid before Parliament</i>		<i>17th June 2021</i>
<i>Coming into force</i>		<i>15th July 2021</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 17(7), (11)(b) and (12) and 125(7) of the Care Act 2014(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Care and Support (Charging and Assessment of Resources) (Amendment) Regulations 2021 and come into force on 15th July 2021.

(2) These Regulations extend to England and Wales.

(3) These Regulations apply to England.

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

2. In Schedule 2 to the Care and Support (Charging and Assessment of Resources) Regulations 2014(b) (capital to be disregarded), after paragraph 37 insert—

“**38.** Any payment which would be disregarded under regulation 26 of the Victims’ Payments Regulations 2020(c) (disregard of payments and lump sums for certain purposes).

39. Any compensation payment made to the adult under Part 1 of the Historical Institutional Abuse (Northern Ireland) Act 2019(d) (the Historical Institutional Abuse Redress Board).”.

Signed by authority of the Secretary of State for Health and Social Care

16th June 2021

Helen Whately
Minister of State,
Department of Health and Social Care

(a) 2014 c. 23.

(b) S.I. 2014/2672, amended by S.I. 2018/687 and 2020/112; there are other amending instruments but none is relevant.

(c) S.I. 2020/103, to which there are amendments not relevant to these Regulations.

(d) 2019 c. 31.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Care and Support (Charging and Assessment of Resources) Regulations 2014 (S.I. 2014/2672) (“the 2014 Regulations”) to include two additional categories of capital to be disregarded in the calculation of an adult’s capital for the purpose of an assessment of that adult’s financial resources under the 2014 Regulations.

Regulation 2 inserts two types of payments into Schedule 2 to the 2014 Regulations. The first is payments paid under the Victims’ Payments Regulations 2020 (S.I. 2020/103). It provides that any payment which would have been disregarded under regulation 26 of those Regulations must be disregarded for the purposes of the 2014 Regulations.

The second type of payment is compensation paid under Part 1 of the Historical Abuse (Northern Ireland) Act 2019 (c. 31), and similarly provides that payments made under that Act must be disregarded for the purposes of the 2014 Regulations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

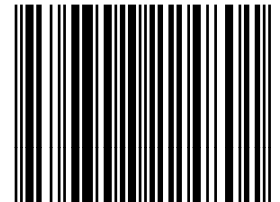
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