
WELSH STATUTORY INSTRUMENTS

2013 No. 631

The National Assistance (Sums for Personal Requirements) and National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2013

PART 2

Assessment of Resources

Amendment of the National Assistance (Assessment of Resources) Regulations 1992

4.—(1) The National Assistance (Assessment of Resources) Regulations 1992⁽¹⁾ are amended in accordance with the following paragraphs of this Regulation.

(2) In regulation 6 (liable relatives) for “10” substitute “15”.

(3) After regulation 9 (calculation of income) insert—

“Earnings to be disregarded

9A.—(1) Earnings derived from employment as an employed earner or a self-employed earner are to be disregarded in the calculation of a resident’s income.

(2) For the purposes of this Regulation—

(a) “earnings” in relation to an employed earner has the same meaning—

(i) as in regulation 35 of the Housing Benefit Regulations 2006⁽²⁾ or,

(ii) where the earner has attained the qualifying age for state pension credit⁽³⁾, as in regulation 35 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽⁴⁾ (earnings of employed earners); and

(b) “earnings” in relation to a self employed earner has the same meaning as in regulation 37 of the Income Support Regulations⁽⁵⁾.”.

(4) Regulations 10 (earnings of self-employed earners), 11 (calculation of net profit of self-employed earners), 12 (weekly amount of net profit of self-employed earners), 13 (earnings of employed earners) and 14 (calculation of net earnings of employed earners) are omitted.

(5) In paragraph (1) of regulation 15 (calculation of income other than earnings) for “to be taken into account” substitute “as defined in regulation 9A(2)”.

(6) In regulation 18 (calculation of income derived from employed earners' employment and income other than earnings)—

(1) S.I.1992/2977

(2) S.I. 2006/213.

(3) The qualifying age for state pension credit is set out in section 1(6) of the State Pension Credit Act 2002 (c. 16).

(4) S.I. 2006/214.

(5) The Income Support (General) Regulations 1987 S.I. 1987/1967.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in paragraph (1) omit “net earnings derived from employment as an employed earner and”;
and
 - (b) in paragraph (2), for “earnings as an employed earner or income other than earnings are”
substitute “income other than earnings is”.
- (7) In paragraph (2) of regulation 20A (Capital Limit — Wales), replace the figure of “£23,250”
with the figure “£23,750.”.
- (8) Schedule 2 (sums to be disregarded in the calculation of earnings) is omitted.