

SCHEDULE 1

Regulation 15

Sums to be disregarded in the calculation of income

PART 1

Sums to be disregarded

1. Any amount paid by way of tax on income which is taken into account under regulation 13 (calculation of income).

Commencement Information

I1 Sch. 1 para. 1 in force at 6.4.2016, see [reg. 1\(2\)](#)

2.—(1) Subject to sub-paragraph (2), where A has needs for care and support other than the provision of accommodation in a care home, or where A is a temporary resident, any housing-related costs which A is liable to meet in respect of A's main or only home.

(2) Sub-paragraph (1) does not apply to the extent that the housing-related costs which A is liable to meet are a payment, contribution, or reimbursement or an amount which is disregarded under paragraph 3.

(3) In this paragraph, "housing-related costs" ("*costau cysylltiedig â thai*") means any mortgage repayments, payments of rent or ground rent, council tax or service charges, (other than services charges which are ineligible under Schedule 1 to the Housing Benefit Regulations 2006 (ineligible charges)).

Commencement Information

I2 Sch. 1 para. 2 in force at 6.4.2016, see [reg. 1\(2\)](#)

3.—(1) Any payment which would be disregarded under paragraph 5 of Schedule 9 to the Income Support Regulations (housing benefit).

(2) Any payment of income support towards housing costs determined in accordance with Schedule 3 to the Income Support Regulations (housing costs) or any amount that the local authority considers would be determined as a payment towards housing costs if A were in receipt of income support.

(3) Any payment which would be disregarded under paragraph 46 of Schedule 9 to the Income Support Regulations (reduction of liability for council tax).

Commencement Information

I3 Sch. 1 para. 3 in force at 6.4.2016, see [reg. 1\(2\)](#)

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4. Any direct payments received by or on behalf of A in accordance with sections 50 or 52 of the Act.

Commencement Information

I4 Sch. 1 para. 4 in force at 6.4.2016, see [reg. 1\(2\)](#)

5. Any payment in respect of any expenses incurred by A, where A is—
(a) engaged by a charitable or voluntary body; or
(b) a volunteer,

if A derives no remuneration or profit from the employment.

Commencement Information

I5 Sch. 1 para. 5 in force at 6.4.2016, see [reg. 1\(2\)](#)

6. Any payment which would be disregarded under paragraph 3 or 4A of Schedule 9 to the Income Support Regulations (employed earner expenses and statutory sick pay in Northern Ireland).

Commencement Information

I6 Sch. 1 para. 6 in force at 6.4.2016, see [reg. 1\(2\)](#)

7. The mobility component of any disability living allowance or the mobility component of personal independence payment.

Commencement Information

I7 Sch. 1 para. 7 in force at 6.4.2016, see [reg. 1\(2\)](#)

8. Any armed forces independence payment.

Commencement Information

I8 Sch. 1 para. 8 in force at 6.4.2016, see [reg. 1\(2\)](#)

9. Any payment which would be disregarded under paragraph 8 of Schedule 9 to the Income Support Regulations (mobility supplement).

Commencement Information

I9 Sch. 1 para. 9 in force at 6.4.2016, see [reg. 1\(2\)](#)

10. If A is a temporary resident—
(a) any attendance allowance;
(b) the care component of any disability living allowance; or
(c) the daily living component of any personal independence payment.

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Commencement Information

I10 Sch. 1 para. 10 in force at 6.4.2016, see [reg. 1\(2\)](#)

11. Any concessionary payment made to compensate for the non-payment of—
- (a) any payment specified in paragraph 7 or 10; or
 - (b) any income support.

Commencement Information

I11 Sch. 1 para. 11 in force at 6.4.2016, see [reg. 1\(2\)](#)

12. Any amount which would be disregarded under paragraph 10 or 11 of Schedule 9 to the Income Support Regulations (payments to medal recipients and educational awards).

Commencement Information

I12 Sch. 1 para. 12 in force at 6.4.2016, see [reg. 1\(2\)](#)

13. Any amount which would be disregarded under paragraph 13 of Schedule 9 to the Income Support Regulations (participants in training schemes).

Commencement Information

I13 Sch. 1 para. 13 in force at 6.4.2016, see [reg. 1\(2\)](#)

14.—(1) Except where sub-paragraph (2) applies, and subject to paragraphs 45 and 46, any relevant payment made or due to be made at regular intervals other than any payment which is to be disregarded under paragraph 30.

(2) Subject to paragraph 46, any relevant payment made or due to be made at regular intervals which is intended and used for any item which was not taken into account when assessing the reasonable cost of meeting or securing A's need for care and support.

(3) In this paragraph, “relevant payment” (“*taliad perthnasol*”) means—

- (a) a charitable payment;
- (b) a voluntary payment;
- (c) a payment (not falling within paragraph (a) or (b)) from a trust whose funds are derived from a payment made in consequence of any personal injury to A;
- (d) a payment under an annuity purchased—
 - (i) pursuant to any agreement or court order to make payments to A; or
 - (ii) from funds derived from a payment made, in consequence of any personal injury to A;
- (e) a payment (not falling within paragraphs (a) to (d)) received by virtue of any agreement or court order to make payments to A in consequence of any personal injury to A.

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Commencement Information

I14 Sch. 1 para. 14 in force at 6.4.2016, see [reg. 1\(2\)](#)

15.—(1) Subject to sub-paragraphs (2) and (3), where A—

- (a) is not residing with their spouse or civil partner; and
- (b) at least 50% of any occupational pension of A's, or of any income from a personal pension scheme of A's, is being paid to, or in respect of, their spouse for that spouse's maintenance or their civil partner for that civil partner's maintenance,

an amount equal to 50% of the pension, pensions or income concerned.

(2) Where A is entitled to pensions or income referred to in sub-paragraph (1) from more than one source, all pensions and income to which A is entitled are to be aggregated for the purposes of that sub-paragraph.

(3) This paragraph does not have effect in respect of that part of any pension or income referred to in sub-paragraph (1) to which A's spouse or civil partner is legally entitled, whether or not under a court order.

Commencement Information

I15 Sch. 1 para. 15 in force at 6.4.2016, see [reg. 1\(2\)](#)

16. Any amount which would be disregarded under paragraph 16 of Schedule 9 to the Income Support Regulations (specified pensions) save for paragraph 16(cc), but as if the reference in paragraph 16 of that Schedule to paragraphs 36 and 37 of Schedule 9 to the Income Support Regulations were a reference to paragraph 46 of this Schedule and as if, in relation to paragraph 16(a) of Schedule 9 to the Income Support Regulations, the reference in the opening words of paragraph 16 of that Schedule to £10 were a reference to £25 and as if the reference in paragraph 16(a) to paragraph 8 or 9 of Schedule 9 to the Income Support Regulations were a reference to paragraph 9 or 10 of this Schedule.

Commencement Information

I16 Sch. 1 para. 16 in force at 6.4.2016, see [reg. 1\(2\)](#)

17. Any guaranteed income payment referred to in article 15(1)(c) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011.

Commencement Information

I17 Sch. 1 para. 17 in force at 6.4.2016, see [reg. 1\(2\)](#)

18. Subject to paragraph 46, £10 of any survivor's guaranteed income payment referred to in article 29(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 and, if the amount of that payment has been abated to less than £10 by a pension falling within article 39(1)(a) of that Order, so much of that pension as would not, in aggregate with the amount of any survivor's guaranteed income payment disregarded, exceed £10.

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Commencement Information

I18 Sch. 1 para. 18 in force at 6.4.2016, see [reg. 1\(2\)](#)

19. Any payment which would be disregarded under paragraphs 17 to 20 of Schedule 9 to the Income Support Regulations (annuities, payments by third parties towards living costs, contractual payments in respect of occupation of a dwelling and payments by lodgers).

Commencement Information

I19 Sch. 1 para. 19 in force at 6.4.2016, see [reg. 1\(2\)](#)

20. Any income in kind.

Commencement Information

I20 Sch. 1 para. 20 in force at 6.4.2016, see [reg. 1\(2\)](#)

21.—(1) Any income derived from capital to which A is or is treated under regulation 24 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraph 1, 4, 8, 14 or 22 of Schedule 2.

(2) Any income derived from capital disregarded under paragraph 4, 22 or 24 of Schedule 2 but only to the extent of any mortgage repayments and payments of council tax or water charges which A is liable to make in respect of the dwelling or premises in the period during which that income accrued.

Commencement Information

I21 Sch. 1 para. 21 in force at 6.4.2016, see [reg. 1\(2\)](#)

22. Any income which would be disregarded under paragraph 23 of Schedule 9 to the Income Support Regulations (income outside the United Kingdom).

Commencement Information

I22 Sch. 1 para. 22 in force at 6.4.2016, see [reg. 1\(2\)](#)

23. Any amount which would be disregarded under paragraph 24 of Schedule 9 to the Income Support Regulations (charge or commission for converting income into sterling).

Commencement Information

I23 Sch. 1 para. 23 in force at 6.4.2016, see [reg. 1\(2\)](#)

24.—(1) Any payment made to A in respect of a child or young person who is a member of A's family—

(a) pursuant to regulations made under section 2(6)(b) or 3 of the Adoption and Children Act 2002;

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- (b) in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes)(1);
- (c) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child's maintenance where a child is living with a person as a result of a child arrangements order)(2).

(2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to A pursuant to regulations made under section 2(6)(b) of the Adoption and Children Act 2002.

Commencement Information

I24 Sch. 1 para. 24 in force at 6.4.2016, see [reg. 1\(2\)](#)

25. Any payment which would be disregarded under paragraph 26 or 28 of Schedule 9 to the Income Support Regulations (provision of accommodation and maintenance for children in care, and local authorities' duty to promote the welfare of children and powers to grant financial assistance to persons in or formerly in their care).

Commencement Information

I25 Sch. 1 para. 25 in force at 6.4.2016, see [reg. 1\(2\)](#)

26. Any payment received under an insurance policy, taken out to insure against the risk of being unable to maintain repayments on a loan to acquire or retain an interest in a dwelling occupied by A as their main or only home, or for repairs and improvements to that home, and used to meet such repayments, to the extent that it does not exceed the aggregate of—

- (a) the amount payable, calculated on a weekly basis, of any interest on the loan;
- (b) the amount of any payment, calculated on a weekly basis, due on the loan attributable to the repayment of capital; and
- (c) the amount, calculated on a weekly basis, of the premium due on that policy.

Commencement Information

I26 Sch. 1 para. 26 in force at 6.4.2016, see [reg. 1\(2\)](#)

27. Any payment which would be disregarded under paragraph 31 or 31A of Schedule 9 to the Income Support Regulations (social fund payments and local welfare provision).

Commencement Information

I27 Sch. 1 para. 27 in force at 6.4.2016, see [reg. 1\(2\)](#)

28. Any payment of income which under regulation 19 (income treated as capital) is to be treated as capital.

(1) [2007 asp 4](#).

(2) [1989 c. 41](#) ("the 1989 Act"). Section 15(1) of the 1989 Act was amended by paragraph 10(1) of Schedule 16 to the Courts and Legal Services Act 1990 ([c. 41](#)). Paragraph 15 of Schedule 1 to the 1989 Act was amended by section 78(3) of the Civil Partnership Act 2004 ([c. 33](#)) and paragraph 40(4) of Schedule 2 to the Children and Families Act 2014 ([c. 6](#)).

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Commencement Information

I28 Sch. 1 para. 28 in force at 6.4.2016, see [reg. 1\(2\)](#)

29. Any payment which would be disregarded under paragraph 33 of Schedule 9 to the Income Support Regulations (pensioner’s Christmas bonus).

Commencement Information

I29 Sch. 1 para. 29 in force at 6.4.2016, see [reg. 1\(2\)](#)

30. Any payment which would be disregarded under paragraph 39 of Schedule 9 to the Income Support Regulations (the Fund, the Macfarlane Trusts and other trusts and Funds and the Independent Living Fund).

Commencement Information

I30 Sch. 1 para. 30 in force at 6.4.2016, see [reg. 1\(2\)](#)

31. Any payment made under or by the Welsh Independent Living Scheme.

Commencement Information

I31 Sch. 1 para. 31 in force at 6.4.2016, see [reg. 1\(2\)](#)

32. Any amount which would be disregarded under paragraphs 40, 43 and 48 to 51 of Schedule 9 to the Income Support Regulations (housing benefit compensation, juror and witness payments, travelling expenses and health service supplies, welfare food payments, prison visiting scheme payments and disabled persons’ employment payments).

Commencement Information

I32 Sch. 1 para. 32 in force at 6.4.2016, see [reg. 1\(2\)](#)

33.—(1) Any child benefit, except in circumstances where A is accompanied by the child or qualifying young person in respect of whom the child benefit is payable, and accommodation is provided or secured for that child or qualifying young person in accordance with the Act.

(2) In this paragraph, “child” (“*plentyn*”) and “qualifying young person” (“*person ifanc cymwys*”) have the same meaning as in section 142 of the 1992 Act.

Commencement Information

I33 Sch. 1 para. 33 in force at 6.4.2016, see [reg. 1\(2\)](#)

34. Any payment which would be disregarded under paragraph 53 of Schedule 9 to the Income Support Regulations (increases in rates of benefits etc.).

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Commencement Information

I34 Sch. 1 para. 34 in force at 6.4.2016, see [reg. 1\(2\)](#)

35. Any payment which would be disregarded under paragraphs 54 to 56 of Schedule 9 to the Income Support Regulations (supplementary pensions etc.).

Commencement Information

I35 Sch. 1 para. 35 in force at 6.4.2016, see [reg. 1\(2\)](#)

36. Any payment made by a local authority to or on behalf of A relating to welfare services in respect of which the Welsh Ministers have paid a grant to the local authority under section 93(2) of the Local Government Act 2000, where A qualified for that payment.

Commencement Information

I36 Sch. 1 para. 36 in force at 6.4.2016, see [reg. 1\(2\)](#)

37. Any guardian's allowance.

Commencement Information

I37 Sch. 1 para. 37 in force at 6.4.2016, see [reg. 1\(2\)](#)

38. Any child tax credit.

Commencement Information

I38 Sch. 1 para. 38 in force at 6.4.2016, see [reg. 1\(2\)](#)

39. Any working tax credit.

Commencement Information

I39 Sch. 1 para. 39 in force at 6.4.2016, see [reg. 1\(2\)](#)

40.—(1) Where A is in receipt of savings credit as a person who has no partner and has qualifying income not exceeding the standard minimum guarantee—

- (a) the amount of that savings credit where the amount received is £5.75 or less; or
- (b) £5.75 of that savings credit where the amount received is greater than £5.75.

(2) Where A—

- (a) has no partner;
- (b) has attained the age of 65; and
- (c) has qualifying income in excess of the standard minimum guarantee,

a sum of £5.75.

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(3) Where A is in receipt of savings credit as a person who has a partner and has qualifying income not exceeding the standard minimum guarantee—

- (a) the amount of that savings credit where the amount received is £8.60 or less; or
- (b) £8.60 of that savings credit where the amount received is greater than £8.60.

(4) Subject to sub-paragraph (5), where A—

- (a) has a partner;
- (b) has—
 - (i) attained the age of 65; or
 - (ii) has attained pension credit age and A's partner has attained the age of 65; and
- (c) has qualifying income in excess of the standard minimum guarantee,

a sum of £8.60.

(5) Where—

- (a) the sum referred to in sub-paragraph (4) has been disregarded in the assessment of A's partner's income under these Regulations; or
- (b) A's partner is in receipt of savings credit,

sub-paragraph (4) does not apply to A.

(6) For the purposes of this paragraph—

- (a) A has a partner if A would be considered to have a partner for the purposes of the Pension Credit Regulations;
- (b) “qualifying income” (“*incwm cymhwys*”) is to be construed in accordance with regulation 9 of the Pension Credit Regulations and for the purposes of sub-paragraphs (3) and (4) the person's qualifying income includes any qualifying income of the A's partner;
- (c) “standard minimum guarantee” (“*gwarant isafswm safonol*”) means, for the purposes of—
 - (i) sub-paragraphs (1) and (2), the amount prescribed by regulation 6(1)(b) of the Pension Credit Regulations; and
 - (ii) sub-paragraphs (3) and (4), the amount prescribed by regulation 6(1)(a) of the Pension Credit Regulations.

Commencement Information

I40 Sch. 1 para. 40 in force at 6.4.2016, see [reg. 1\(2\)](#)

41. Any payment made to a temporary resident in lieu of concessionary coal pursuant to section 19(1)(b) or (c) of the Coal Industry Act 1994(3).

Commencement Information

I41 Sch. 1 para. 41 in force at 6.4.2016, see [reg. 1\(2\)](#)

42. Any payment made to A under section 63(6)(b) of the Health Services and Public Health Act 1968(4) (“the 1968 Act”) (travelling and other allowances to persons availing themselves of

(3) 1994 c. 21.

(4) 1968 c. 46.

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instruction) for the purpose of meeting childcare costs where the instruction is provided pursuant to—

- (a) section 63(1)(a) of the 1968 Act; or
- (b) section 63(1)(b) of the 1968 Act and where A is employed, or has it in contemplation to be employed, in an activity involved in or connected with a service which must or may be provided or secured as part of the health service.

Commencement Information

I42 Sch. 1 para. 42 in force at 6.4.2016, see [reg. 1\(2\)](#)

43. Any payment made in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardian support services)⁽⁵⁾ to A where A is a prospective special guardian or a special guardian.

Commencement Information

I43 Sch. 1 para. 43 in force at 6.4.2016, see [reg. 1\(2\)](#)

44.—(1) Where A is a student, any grant or other award, student loan, income used to make repayments on a student loan or other payment received by A for the purposes of their course of study at an educational establishment.

(2) In this paragraph, “course of study” (“*cwrs o astudiaeth*”), “student” (“*myfyriwr*”) and “student loan” (“*benthyciad myfyriwr*”) have the same meaning as in the Income Support Regulations.

Commencement Information

I44 Sch. 1 para. 44 in force at 6.4.2016, see [reg. 1\(2\)](#)

PART 2

Special provisions relating to charitable or voluntary payments and certain pensions

45. Paragraph 14 does not apply to any payment which is made or due to be made—

- (a) by A for the maintenance of any member of A’s family or of A’s former partner or of A’s children; or
- (b) by a third party pursuant to an agreement between the local authority and that third party in connection with the liability of A to pay, contribute or make reimbursements to the local authority for or in respect of A’s accommodation.

Commencement Information

I45 Sch. 1 para. 45 in force at 6.4.2016, see [reg. 1\(2\)](#)

(5) Section 14F was inserted by section 115(1) of the Adoption and Children Act 2002 (c. 38).

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46. The total income to be disregarded pursuant to paragraphs 14(2) and 16 must in no case exceed the amount per week specified in paragraph 36 of Schedule 9 to the Income Support Regulations (£20 per week ceiling for aggregated disregards).

Commencement Information

I46 Sch. 1 para. 46 in force at 6.4.2016, see [reg. 1\(2\)](#)

SCHEDULE 2

Regulation 18(2)

Capital to be disregarded

1.—(1) Where A is a temporary resident but not a prospective resident, the value of A's main or only home in circumstances where—

- (a) A is taking reasonable steps to dispose of the dwelling in order that they may acquire another dwelling which they intend to occupy as their main or only home; or
- (b) A intends to return to occupy that dwelling as their main or only home and the dwelling is still available to them.

(2) Where A is a temporary resident who is a prospective resident, the value of A's main or only home in circumstances where A intends, on being provided with or securing in fact accommodation in accordance with the Act—

- (a) to take reasonable steps to dispose of the dwelling in order that they may acquire another dwelling which they intend to occupy as their main or only home; or
- (b) to return to occupy that dwelling as their main or only home and the dwelling to which A intends to return is available to them.

Commencement Information

I47 Sch. 2 para. 1 in force at 6.4.2016, see [reg. 1\(2\)](#)

2.—(1) Where A is a permanent resident the value of A's main or only home which A would otherwise normally occupy ("A's home") for a period of 12 weeks beginning with the day on which A first moves into accommodation in a care home ("the first period of permanent residence").

(2) Where A—

- (a) ceases to be a permanent resident; and
- (b) subsequently becomes a permanent resident again at any time within the period of 52 weeks from the end of the first period of permanent residence,

the value of A's home for such period (if any) which when added to the period disregarded under sub-paragraph (1) in respect of their first period of permanent residence does not exceed 12 weeks in total.

(3) Where A—

- (a) ceases to be a permanent resident and is not a person to whom sub-paragraph (2) has applied; and
- (b) subsequently becomes a permanent resident again at any time after a period of more than 52 weeks from the end of the first period of permanent residence,

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the value of A's home for a period of 12 weeks beginning with the day on which the second period of permanent residence begins.

(4) In this paragraph, “the second period of permanent residence” (“*yr ail gyfnod preswyllo parhaol*”) means the period of permanent residence beginning at any time after the period of 52 weeks referred to in sub-paragraph (3)(b).

Commencement Information

I48 Sch. 2 para. 2 in force at 6.4.2016, see [reg. 1\(2\)](#)

3. Where A is a permanent resident and there is an unexpected change in their financial circumstances the local authority may disregard the value of A's main or only home which A would normally otherwise occupy for a period of 12 weeks.

Commencement Information

I49 Sch. 2 para. 3 in force at 6.4.2016, see [reg. 1\(2\)](#)

4.—(1) The value of any premises—

- (a) which would be disregarded under paragraph 2 or 4(b) of Schedule 10 to the Income Support Regulations (premises acquired for occupation, and premises occupied by a former partner) but as if for the words “his home” in each provision there were substituted “his main or only home”; or
- (b) which is occupied in whole or in part as their main or only home by a qualifying relative of A's who has occupied the premises as their main or only home since before the date on which A was first provided with or secured accommodation in a care home in accordance with the Act.

(2) A local authority may disregard the value of any premises which is occupied in whole or in part by a qualifying relative of A's as their main or only home where the qualifying relative occupied the premises after the date on which A was first provided with or secured accommodation in a care home in accordance with the Act.

(3) The value of any premises for a period of 12 weeks where the local authority has disregarded the value of the premises under sub-paragraph (1)(b) or (2) and that relative has died or is no longer occupying the premises because they have been provided with or secured accommodation in a care home.

(4) The local authority may disregard the value of any premises for a period of 12 weeks where the premises were occupied in whole or in part by a qualifying relative of A's as their main or only home and that relative is no longer occupying the premises because of an unexpected change in their circumstances.

(5) In this paragraph—

“child” (“*plentyn*”) is to be construed in accordance with section 1 of the Family Law Reform Act 1987(6);

“qualifying relative” (“*perthynas cymwys*”) means the A's—

- (a) partner;
- (b) other family member or relative who is aged 60 or over or who is incapacitated; or
- (c) child who is under 18.

(6) 1987 c. 42.

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Commencement Information

I50 Sch. 2 para. 4 in force at 6.4.2016, see [reg. 1\(2\)](#)

5. Where A is a resident who has ceased to occupy what was formerly the dwelling occupied by them as their main or only home following their estrangement or divorce from their former partner, the value of A's interest in that dwelling where it is still occupied as the home by the former partner who is a lone parent.

Commencement Information

I51 Sch. 2 para. 5 in force at 6.4.2016, see [reg. 1\(2\)](#)

6. The value of the proceeds of sale of any premises which would be disregarded under paragraph 3 of Schedule 10 to the Income Support Regulations (proceeds of sale from premises formerly occupied).

Commencement Information

I52 Sch. 2 para. 6 in force at 6.4.2016, see [reg. 1\(2\)](#)

7. Any future interest in property which would be disregarded under paragraph 5 of Schedule 10 to the Income Support Regulations (future interests in property other than in certain land or premises).

Commencement Information

I53 Sch. 2 para. 7 in force at 6.4.2016, see [reg. 1\(2\)](#)

8. Any assets which would be disregarded under paragraph 6 of Schedule 10 to the Income Support Regulations (business assets), but as if in sub-paragraph (2) of that paragraph for the words from “the claim for income support” to the end of that sub-paragraph there were substituted—

- (a) where A is a resident other than a prospective resident the words “the accommodation was initially provided or secured”;
- (b) where A is a prospective resident, the words “the local authority began to assess A's ability to pay for, contribute, or make reimbursements towards the cost of their accommodation under these Regulations and the Care and Support (Charging) (Wales) Regulations 2015”.

Commencement Information

I54 Sch. 2 para. 8 in force at 6.4.2016, see [reg. 1\(2\)](#)

9. Any amount which would be disregarded under paragraph 7(1) of Schedule 10 to the Income Support Regulations (arrears of specified payments), but as if the words “Subject to sub-paragraph (2)” at the beginning of that sub-paragraph were omitted and as if the reference in paragraph (a) of that sub-paragraph to paragraphs 6, 8 or 9 of Schedule 9 to the Income Support Regulations (other income to be disregarded) were a reference to paragraphs 7 to 10 of Schedule 1 (sums to be disregarded in the calculation of income).

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Commencement Information

I55 Sch. 2 para. 9 in force at 6.4.2016, see [reg. 1\(2\)](#)

10. Any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of—

- (a) child tax credit;
- (b) working tax credit;
- (c) a payment which is made under any of—
 - (i) the Order in Council of 19 December 1881;
 - (ii) the Royal warrant of 27 October 1884;
 - (iii) the Order by his Majesty of 14 January 1922,

to a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown and whose service in such capacity terminated before 31 March 1973, but only for a period of 52 weeks from the date of the receipt of the arrears or the concessionary payment.

Commencement Information

I56 Sch. 2 para. 10 in force at 6.4.2016, see [reg. 1\(2\)](#)

11. Any amount which would be disregarded under paragraph 8 or 9 of Schedule 10 to the Income Support Regulations (property repairs and housing association deposits).

Commencement Information

I57 Sch. 2 para. 11 in force at 6.4.2016, see [reg. 1\(2\)](#)

12. Any personal possessions except those which had or have been acquired by A with the intention of reducing their capital in order to satisfy a local authority that they were unable to pay towards the cost of their care and support or support.

Commencement Information

I58 Sch. 2 para. 12 in force at 6.4.2016, see [reg. 1\(2\)](#)

13. Any amount which would be disregarded under paragraph 11 of Schedule 10 to the Income Support Regulations (income under an annuity).

Commencement Information

I59 Sch. 2 para. 13 in force at 6.4.2016, see [reg. 1\(2\)](#)

14. Any amount which would be disregarded under paragraph 12 of Schedule 10 to the Income Support Regulations (personal injury trusts).

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Commencement Information

I60 Sch. 2 para. 14 in force at 6.4.2016, see [reg. 1\(2\)](#)

15. Any amount which would be disregarded under paragraph 12A of Schedule 10 to the Income Support Regulations (personal injury payments) with the exception of any payment or any part of any payment that has been specifically identified by a court to deal with the cost of providing care.

Commencement Information

I61 Sch. 2 para. 15 in force at 6.4.2016, see [reg. 1\(2\)](#)

16. Any amount which would be disregarded under paragraph 13 of Schedule 10 to the Income Support Regulations (life interest or life rent).

Commencement Information

I62 Sch. 2 para. 16 in force at 6.4.2016, see [reg. 1\(2\)](#)

17. The value of the right to receive any income which is disregarded under paragraph 20 of Schedule 1 (sums to be disregarded in the calculation of income).

Commencement Information

I63 Sch. 2 para. 17 in force at 6.4.2016, see [reg. 1\(2\)](#)

18. Any amount which would be disregarded under paragraph 15, 16, 18, 18A or 19 of Schedule 10 to the Income Support Regulations (surrender value of life insurance policy, outstanding instalments, social fund payments, local welfare provision and tax refunds on certain loan interest).

Commencement Information

I64 Sch. 2 para. 18 in force at 6.4.2016, see [reg. 1\(2\)](#)

19. Any capital which under regulation 16 (capital treated as income) is to be treated as income.

Commencement Information

I65 Sch. 2 para. 19 in force at 6.4.2016, see [reg. 1\(2\)](#)

20. Any amount which would be disregarded under paragraphs 21 to 24 of Schedule 10 to the Income Support Regulations (charge or commission for converting capital into sterling, the Macfarlane Trusts, the Fund and the Independent Living Fund, value of the right to receive personal or occupational pension, value of funds under personal pension scheme and rent).

Commencement Information

I66 Sch. 2 para. 20 in force at 6.4.2016, see [reg. 1\(2\)](#)

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21. Any amount paid under or by the Welsh Independent Living Scheme.

Commencement Information

I67 Sch. 2 para. 21 in force at 6.4.2016, see [reg. 1\(2\)](#)

22. The value of any premises which would be disregarded under paragraph 27 or 28 of Schedule 10 to the Income Support Regulations (premises a claimant intends to occupy) but as if for the words “his home” in each provision there were substituted “his main or only home”.

Commencement Information

I68 Sch. 2 para. 22 in force at 6.4.2016, see [reg. 1\(2\)](#)

23. Any amount which would be disregarded under paragraphs 29 to 31, 34 and 36 to 43 of Schedule 10 to the Income Support Regulations (fund payments in kind, training bonuses, housing benefit compensation, juror or witness payments, reduction of liability for personal community charge, housing grants, travelling expenses and health service supplies, welfare food payments, health in pregnancy grant, prison visiting scheme payments, special war widows payments, disabled persons’ employment payments, and blind homeworkers’ payments).

Commencement Information

I69 Sch. 2 para. 23 in force at 6.4.2016, see [reg. 1\(2\)](#)

24. The value of any premises occupied in whole or in part by a third party where the local authority considers it would be reasonable to disregard the value of those premises.

Commencement Information

I70 Sch. 2 para. 24 in force at 6.4.2016, see [reg. 1\(2\)](#)

25. Any amount which—

- (a) falls within paragraph 44(2)(a) (damages for personal injury), and would be disregarded under paragraph 44(1)(a) or (b), of Schedule 10 to the Income Support Regulations; or
- (b) would be disregarded under paragraph 45(a) of that Schedule.

Commencement Information

I71 Sch. 2 para. 25 in force at 6.4.2016, see [reg. 1\(2\)](#)

26. Any amount which would be disregarded under paragraph 61 of Schedule 10 to the Income Support Regulations (ex-gratia payment made by the Secretary of State in consequence of imprisonment or internment by the Japanese during the Second World War).

Commencement Information

I72 Sch. 2 para. 26 in force at 6.4.2016, see [reg. 1\(2\)](#)

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27. Any payment which would be disregarded under paragraph 64 of Schedule 10 to the Income Support Regulations (payments under a trust established out of funds provided by the Secretary of State in respect of persons who suffered or are suffering from variant Creutzfeldt-Jakob disease).

.....
Commencement Information

I73 Sch. 2 para. 27 in force at 6.4.2016, see [reg. 1\(2\)](#)

28. Any payment made by a local authority to or on behalf of A relating to welfare services in respect of which the Welsh Ministers have paid a grant to the local authority under section 93(2) of the Local Government Act 2000 where A qualified for the payment.

.....
Commencement Information

I74 Sch. 2 para. 28 in force at 6.4.2016, see [reg. 1\(2\)](#)

29. Any payment made to A pursuant to regulations made under section 2(6)(b) or 3 of the Adoption and Children Act 2002.

.....
Commencement Information

I75 Sch. 2 para. 29 in force at 6.4.2016, see [reg. 1\(2\)](#)

30. Any payment made to A under section 2 or 3 of the Age-Related Payments Act 2004 (entitlement: basic or special cases)(7).

.....
Commencement Information

I76 Sch. 2 para. 30 in force at 6.4.2016, see [reg. 1\(2\)](#)

31. Any payment made to A under Part 2 (payments to persons over the age of 65) or Part 3 (payments to persons in receipt of guarantee credit) of the Age-Related Payments Regulations 2005(8).

.....
Commencement Information

I77 Sch. 2 para. 31 in force at 6.4.2016, see [reg. 1\(2\)](#)

32. Any payment made to A under section 63(6)(b) of the Health Services and Public Health Act 1968 (“the 1968 Act”) (travelling and other allowances to persons availing themselves of instruction) for the purpose of meeting childcare costs where the instruction is provided pursuant to—

- (a) section 63(1)(a) of the 1968 Act; or
- (b) section 63(1)(b) of the 1968 Act and where A is employed, or has it in contemplation to be employed, in an activity involved in or connected with a service which must or may be provided or secured as part of the health service.

(7) 2004 c. 10.

(8) S.I. 2005/1983.

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Commencement Information

I78 Sch. 2 para. 32 in force at 6.4.2016, see [reg. 1\(2\)](#)

33. Any payment made in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardian support services) to A where A is a prospective special guardian or a special guardian.

Commencement Information

I79 Sch. 2 para. 33 in force at 6.4.2016, see [reg. 1\(2\)](#)

34. Any payment made to A under regulations made under section 7 of the Age-Related Payments Act 2004 (power to provide future payments).

Commencement Information

I80 Sch. 2 para. 34 in force at 6.4.2016, see [reg. 1\(2\)](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 1 para. 1 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 2 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 3 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 4 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 5 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 6 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 7 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 8 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 9 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 10 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 11 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 12 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 13 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 14 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 15 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 16 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 17 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 18 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 19 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 20 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 21 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 22 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 23 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 24 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 25 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 26 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 27 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 28 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 29 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 30 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 31 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 32 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
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- Sch. 1 para. 35 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 36 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 37 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 38 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 39 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 40 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 41 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 42 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 43 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 44 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 45 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 46 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 1 para. 16 substituted by [S.I. 2017/214 reg. 4\(a\)](#)
- Sch. 1 para. 30 substituted by [S.I. 2022/99 reg. 3\(a\)\(i\)](#)
- Sch. 2 para. 1 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)
- Sch. 2 para. 2 coming into force by [S.I. 2015/1844 reg. 1\(2\)](#)

- reg. 24 coming into force by S.I. 2015/1844 reg. 1(2)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 16A inserted by S.I. 2017/214 reg. 4(b)
- Sch. 1 para. 44A44B inserted by S.I. 2022/99 reg. 3(a)(ii)
- Sch. 2 para. 35 inserted by S.I. 2019/234 reg. 3
- Sch. 2 para. 36-39 inserted by S.I. 2022/99 reg. 3(b)(ii)
- Sch. 2 para. 4041 inserted by S.I. 2023/67 reg. 3(a)(ii)
- Sch. 2 para. 40 words substituted by S.I. 2023/424 Sch. para. 61