SCOTTISH STATUTORY INSTRUMENTS

2005 No. 84

NATIONAL ASSISTANCE SERVICES

The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2005

Made - - - -	*24th February 2005*
Laid before the Scottish Parliament - - - -	*25th February 2005*
Coming into force - -	*11th April 2005*

The Scottish Ministers, in exercise of the powers conferred on them by section 22(4) of the National Assistance Act 1948(**1**) as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968(**2**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2005 and shall come into force on 11th April 2005.

(2) These Regulations extend to Scotland only.

Sum needed for personal requirements

2. For the purposes of section 22(4) of the National Assistance Act 1948, as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968 (the amount which a local authority shall assume that a person will need for his or her personal requirements per week), the amount prescribed is £18.80(**3**).

(**1**) 1948 c. 29; section 64(1) of the National Assistance Act 1948 defines the term "prescribed"; section 87(4) of the Social Work (Scotland) Act 1968 (c. 49) ("the 1968 Act") substitutes the term "Secretary of State" for the term "Minister". The functions of the Secretary of State so far as they are exercisable in Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) 1968 c. 49 ("the 1968 Act"). Section 87(3) of the 1968 Act was amended by the Social Security Act 1980 (c. 30) Schedule 4, paragraph 5(1); the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) section 20(2); the Social Security Act 1986 (c. 50) Schedule 10, paragraph 41(2) and by the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act") Schedule 9, paragraph 10(13). Section 87(4) of the 1968 Act was amended by the 1990 Act Schedule 9, paragraph 10(13). By virtue of section 87(3) of the 1968 Act, accommodation provided under that Act or under section 7 of the Mental Health (Scotland) Act 1984 (c. 36) is regarded as accommodation provided under Part III of the National Assistance Act 1948.

(**3**) The previous sum was £18.10, provided for by the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2004 (S.S.I. 2004/106), which are revoked by these regulations.