SCOTTISH STATUTORY INSTRUMENTS

2003 No. 69

NATIONAL ASSISTANCE SERVICES

The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2003

Made - - - -	*6th February 2003*
Laid before the Scottish Parliament - - - -	*7th February 2003*
Coming into force - -	*28th February 2003*

The Scottish Ministers, in exercise of the powers conferred by section 22(5) of the National Assistance Act 1948(**1**) (including that provision 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 (Assessment of Resources) Amendment (Scotland) Regulations 2003 and shall come into force on 28th February 2003.

(2) These Regulations extend to Scotland only.

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

2. For paragraph 6 of Schedule 4 to the National Assistance (Assessment of Resources) Regulations 1992(**3**) (capital to be disregarded), substitute–

> "**6.** Any amount which would be disregarded under paragraph 7(1) of Schedule 10 to the Income Support Regulations(**4**) (arrears of specified payments), but as if the words

(**1**) 1948 c. 29; section 22(5) was amended by the Ministry of Social Security Act 1966 (c. 20), section 39(1) and Schedule 6, paragraph 6; the Supplementary Benefits Act 1976 (c. 71), section 35(2) and Schedule 7, paragraph 3(b); the Social Security Act 1980 (c. 30), section 20 and Schedule 4, paragraph 2; the Social Security Act 1986 (c. 50), section 86 and Schedule 10, paragraph 32. 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; section 87(3) was amended by the Social Security Act 1980 (c. 30) Schedule 4, paragraph 5; the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 20; the Social Security Act 1986 (c. 50), Schedule 10, paragraph 41 and the National Health Service and Community Care Act 1990 (c. 19), section 66 and Schedule 9, paragraph 10(13). By virtue of section 87(3) of the Social Work (Scotland) Act 1968 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**) S.I. 1992/2977.

(**4**) 1987/1967, amended by S.I. 1991/2742, 1996/206, 2001/2333 and 2002/2380.