WELSH STATUTORY INSTRUMENTS

2006 No. 1051 (W.107)

NATIONAL ASSISTANCE SERVICES, WALES

The National Assistance (Assessment of Resources and Sums for Personal Requirements) (Amendment) (Wales) Regulations 2006

Made - - - -	*4 April 2006*
Coming into force - -	*10 April 2006*

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 22 (4) and (5) of the National Assistance Act 1948(**1**) and now vested in the National Assembly for Wales(**2**) hereby makes the following Regulations.

Citation, commencement, interpretation and application

1.—(1) The name of these Regulations is The National Assistance (Assessment of Resources and Sums for Personal Requirements) (Amendment) (Wales) Regulations 2006.

(2) These regulations come into force on 10 April 2006.

(3) In these Regulations, "the Principal Regulations" (*"y Prif Reoliadau"*) means the National Assistance (Assessment of Resources) Regulations 1992(**3**).

(4) These Regulations apply in relation to Wales.

Sums needed for personal requirements

2. The sum which a local authority assumes a person to need for his or her personal requirements under section 22(4) of the National Assistance Act 1948(**4**) is £20.00 per week.

(**1**) 1948 c. 29. See sections 35(1) and 64(1) of the National Assistance Act 1948 for the definitions of "the minister" and "prescribed" respectively and article 2 of the Secretary of State for Social Services Order 1968 (S.I.1968/1699) which transferred all functions of the Minister of Health to the Secretary of State.

(**2**) The functions of the Secretary of State under sections 22 (4) and (5) of the National Assistance Act 1948 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(**3**) S.I. 1992/2977 as amended by a series of subsequent instruments.

(**4**) 1948 c. 29.

Revocation

3. The National Assistance (Sums for Personal Requirements) (Wales) Regulations 2005(**5**) are hereby revoked.

Amendment of regulation 2 of the Principal Regulations

4. In paragraph (1) of regulation 2 of the Principal Regulations (interpretation), in the definition of "liable relative", for "or former spouse", substitute, "former spouse, civil partner or former civil partner".

Amendment of regulation 20A of the Principal Regulations

5. In paragraph (2) of regulation 20A of the Principal Regulations replace the figure "£21,000" with the figure "£21,500".

Amendment of regulation 28A of the Principal Regulations

6. In paragraph (2) of regulation 28A of the Principal Regulations (calculation of tariff income from capital - Wales) —

(a) replace the figure "£14,750" with the figure "£16,000" in both places where it appears; and

(b) replace the figure "£21,000" with the figure "£21,500".

Amendment of Schedule 3 to the Principal Regulations

7. In Schedule 3 to the Principal Regulations (sums to be disregarded in the calculation of income other than earnings)—

(a) In paragraph 10A(**6**)—

(i) in sub-paragraphs (1)(a) and (3), after "spouse" insert "or civil partner", and

(ii) in sub-paragraph (1)(b), after "spouse's maintenance" insert "or his civil partner for that civil partner's maintenance";

(b) in paragraph 17(**7**)—

(i) for sub-paragraph(1)(a) substitute—

"(a) pursuant to regulations made under section 2(6)(b) or 3 of the Adoption and Children Act 2002(**8**)

(ii) for sub-paragraph (2) substitute—

"(2) Any payment other than a payment to which sub-paragraph (1)(a) applies, made to the resident pursuant to regulations made under section 2(6)(b) or 3 of the Adoption and Children Act 2002.";

(c) in paragraph 28H

(i) in sub-paragraphs (1) and (2) replace the figure "£4.85" with the figure "£5.05" at each place where it appears; and

(ii) in sub-paragraphs (3) and (4) replace the figure of "£7.20" with the figure "£7.50" at each place where it appears.

(**5**) S.I. 2005/ 663 (W.53).
(**6**) Inserted by S.I. 1996/602 and amended by S.I. 1997/485.
(**7**) Amended by S.I. 2003/2530.
(**8**) 2002 c. 38.