STATUTORY RULES OF NORTHERN IRELAND

1998 No. 138

HEALTH AND PERSONAL SOCIAL SERVICES

The Health and Personal Social Services (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1998

Made - - - -	*3rd April 1998*
Coming into operation	*11th May 1998*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 36(6) and 99(5) of the Health and Personal Social Services (Northern Ireland) Order 1972(**1**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Health and Personal Social Services (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 11th May 1998.

(2) In these regulations "the principal regulations" means the Health and Personal Social Services (Assessment of Resources) Regulations (Northern Ireland) 1993(**2**).

Amendment of regulation 2 of the principal regulations

2. In regulation 2(1) of the principal regulations (interpretation) after the definition of "the Order" there shall be inserted—

> ""the 1992 Order" means the Registered Homes (Northern Ireland) Order 1992(**3**);".

Amendment of regulation 17 of the principal regulations

3. After paragraph (5) of regulation 17 of the principal regulations (notional income) there shall be inserted the following paragraph—

> "(6) A resident shall be treated as possessing any income paid or due to be paid by a third party to a person, who is required to be registered to carry on a residential care home or nursing home pursuant to Article 4 or 17 of the 1992 Order, in respect of some or all of the cost of maintaining the resident in that home."

(**1**) S.I.1972/1265 (N.I. 14); Article 36 was substituted by Article 25 of S.I. 1991/194 (N.I. 1), and then amended by paragraph 2(4) and (5) of Schedule 1 to S.I. 1992/3204 (N.I. 20); and Article 99 was substituted by Article 27 of S.I. 1991/194 (N.I. 1)
(**2**) S.R. 1993 No. 127, the relevant amending instrument is S.R. 1993 No. 234
(**3**) S.I. 1992/3204 (N.I. 20)