STATUTORY INSTRUMENTS

1975 No. 347

NATIONAL ASSISTANCE SERVICES

The National Assistance (Charges for Accommodation) Regulations 1975

Made - - -	11*th March* 1975
Laid before Parliament	17*th March* 1975
Coming into Operation	7*th April* 1975

The Secretary of State for Social Services, in exercise of powers conferred by section 22 of the National Assistance Act 1948(**a**), and now vested in her (**b**) and of all other powers enabling her in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the National Assistance (Charges for Accommodation) Regulations 1975, and shall come into operation on 7th April 1975.

Interpretation

2.—(1) In these regulations unless the context otherwise requires—

" the Act of 1948 " means the National Assistance Act 1948;

" the Act of 1972 " means the National Insurance Act 1972(**c**);

" Personal Injuries Scheme ", " Service Pensions Instrument " and " 1914–18 War Injuries Scheme " have the same meanings as in the National Insurance (Overlapping Benefits) Regulations 1972(**d**), as amended (**e**);

(2) Any reference in these regulations to the provisions of any enactment or instrument shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or replaced by any subsequent enactment or instrument.

(3) The Interpretation Act 1889(**f**) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

(**a**) 1948 c. 29.

(**b**) Article 2 of the Secretary of State for Social Services Order 1968, S.I. 1968/1699 (1968 III, p. 4585) (which transferred all functions of the Minister of Health to the Secretary of State for Social Services).

(**c**) 1972 c. 57.

(**d**) S.I. 1972/604 (1972 I, p. 1994).

(**e**) The amending regulations are not relevant to the subject matter of these regulations.

(**f**) 1889 c. 63.

Revocation of existing regulations

3. The National Assistance (Charges for Accommodation) Regulations 1974(**a**) are hereby revoked.

Prescription of minimum charges

4. For the purposes of section 22(3) of the Act of 1948 (which relates to charges to be made for accommodation provided under Part III of the Act) the liability of a person to pay for accommodation provided in premises managed by a local authority shall in no case be reduced below the sum of £9·30 per week.

5. Where accommodation is provided for a child accompanied by a person over the age of 16, the liability of that person under section 22(7) of the Act of 1948 to pay for the accommodation of that child shall in no case be reduced below such one of the following sums as is appropriate, that is to say—

(*a*) in respect of a child under 5 years of age, the sum of £2·75 per week;

(*b*) in respect of a child aged 5 years or over but less than 11 years, the sum of £3·30 per week;

(*c*) in respect of a child aged 11 years or over but less than 13 years, the sum of £4·05 per week;

(*d*) in respect of a child aged 13 years or over but less than 16 years, the sum of £4·95 per week.

Prescription of sum needed for personal requirements

6. For the purposes of section 22(4) of the Act of 1948 a local authority shall assume that a person to whom subsection (3) of that section applies will need for his personal requirements the sum of £2·30 per week:

Provided that if that person is someone to whom there is payable attendance allowance under the provisions of section 2 of the Act of 1972 or constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914-18 War Injuries Scheme, the aforementioned sum assumed to be needed for his personal requirements shall be increased by the amount of such attendance allowance or constant attendance allowance.

Barbara Castle,
Secretary of State for Social Services.

11th March 1975.

(**a**) S.I. 1974/1118 (1974 II, p. 4180).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations supersede the National Assistance (Charges for Accommodation) Regulations 1974. The minimum weekly amount which a person is required to pay for accommodation managed by a local authority under Part III of the National Assistance Act 1948 is increased from £8·00 to £9·30. Where a person is accompanied by a child the weekly amounts payable in respect of the child are increased from £2·40 to £2·75 when the child is under 5 years, from £2·90 to £3·30 when the child is aged 5 years or over but less than 11 years, from £3.55 to £4.05 when the child is aged 11 years or over but less than 13 years and from £4·35 to £4·95 when the child is aged 13 years or over but less than 16 years. The weekly sum for personal requirements which (unless in special circumstances the local authority considers a different sum appropriate) the local authority shall allow in assessing a person's ability to pay for accommodation is increased from £2·00 to £2·30 but if the person is one to whom there is payable attendance allowance under the Act of 1972 or constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914-18 War Injuries Scheme, the weekly sum for personal requirements shall be increased by that amount.

SI 1975/347
ISBN 0-11-050347-3

