STATUTORY INSTRUMENTS

1983 No. 1492

NATIONAL ASSISTANCE SERVICES

The National Assistance (Charges for Accommodation) Regulations 1983

Made - - - -	11*th October* 1983
Laid before Parliament	19*th October* 1983
Coming into Operation	21*st November* 1983

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 him(**b**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Assistance (Charges for Accommodation) Regulations 1983 and shall come into operation on 21st November 1983.

(2) In these regulations—

"the Act" means the National Assistance Act 1948;

"Personal Injuries Scheme", "Service Pensions Instrument" and "1914–18 War Injuries Scheme" have the same meanings as in the Social Security (Overlapping Benefits) Regulations 1979(**c**).

Minimum charges

2.—(1) The liability of a person under section 22(3) of the Act (rate of liability to pay for accommodation provided under Part III of the Act) to pay for accommodation provided for him in premises managed by a local authority shall in no case be reduced below the sum of £27.25 per week.

(2) Where accommodation is provided for a child accompanied by a person over the age of 16, the liability of that person under section 22(3) and (7) of the Act to pay for the accommodation of that child shall in no case be reduced below whichever of the following sums is appropriate, that is to say—

(*a*) in respect of a child under the age of 11, the sum of £9.15 per week;

(*b*) in respect of a child aged 11 years or over but under the age of 16, the sum of £13.70 per week.

(**a**) 1948 c. 29.
(**b**) *See* the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), Art. 2.
(**c**) S.I. 1979/597; relevant amending instrument is S.I. 1980/1927.

Sum needed for personal requirements

3. The sum which a local authority shall under section 22(4) of the Act assume that a person needs for his personal requirements shall be £6.80 per week except that where that person is someone to whom there is payable attendance allowance under the provisions of section 35 of the Social Security Act 1975(**a**) or constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914–18 War Injuries Scheme, that sum shall in respect of each week there is payable attendance allowance or constant attendance allowance be increased by the amount of such allowance.

Revocation

4. The National Assistance (Charges for Accommodation) Regulations 1982(**b**) are hereby revoked.

Signed by authority of the Secretary of State for Social Services.

Tony Newton,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

11th October 1983.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations supersede with effect from 21st November 1983 the National Assistance (Charges for Accommodation) Regulations 1982. They increase from £26.30 to £27.25 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. They also increase the minimum weekly amounts payable in respect of accommodation provided for a child under 11 and for a child over that age but under 16 from £8.75 to £9.15 and from £13.15 to £13.70 respectively.

The Regulations increase from £6.55 to £6.80 the weekly sum which, in assessing a person's ability to pay for such accommodation, a local authority is, in the absence of special circumstances, to assume will be needed for personal requirements.

(**a**) 1975 c. 14; in section 35, subsections (2)(*b*), (3) and (4)(*a*) were amended and subsections (2A) and (5A) inserted by the Social Security Act 1979 (c. 18), section 2; subsection (4A) was inserted by the Social Security Act 1980 (c. 30), Schedule 1, paragraph 8, and subsection (6)(*a*) was amended by the National Health Service Act 1977 (c. 49), Schedule 15, paragraph 63.
(**b**) S.I. 1982/1399.

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