dwelling-house, furniture and certain other articles is to be left out of account, and deductions are to be made in computing income in respect of dependants, income tax, national insurance and other contributions. Unless the applicant or his spouse is in receipt of national assistance, he will be required to pay 2*s.* 6*d.* for the legal advice he gets and the solicitor giving it will normally be entitled to £1 for every half-hour spent giving it up to a maximum of £3. Special arrangements are made for the case in which legal advice is required for longer than one hour and a half. Provision is made for dealing with vexatious applicants and those making false statements.

1959 No. 1244

The National Assistance (Disregard of Assets) Order, 1959

Made - - - -	20*th July*, 1959
Laid before Parliament	23*rd July*, 1959
Coming into Operation	7*th September*, 1959

The Minister of Pensions and National Insurance, after consultation with the National Assistance Board and in exercise of powers conferred by section 1 of the National Assistance Act, 1959(a) and of all other powers enabling him in that behalf hereby makes the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the National Assistance (Disregard of Assets) Order, 1959, and shall come into operation on the 7th September, 1959.

(2) The Interpretation Act, 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Amendment of paragraph 3 *of the Second Schedule to the National Assistance Act*, 1948

2. Paragraph 3 of the Second Schedule to the National Assistance Act, 1948(c), (hereinafter referred to as "the Act") shall be amended by substituting—

(*a*) for the words "fifty pounds" in both places where those words occur the words "one hundred pounds"; and

(*b*) for the words "four hundred pounds" the words "six hundred pounds";

and accordingly the said paragraph 3 shall have effect in the form set out in the First Schedule to this order.

Amendment of paragraph 5 *of the Second Schedule to the Act*

3.—(1) Paragraph 5 of the Second Schedule to the Act shall be amended by substituting—

(*a*) for the words "one pound" the words "thirty shillings", and

(*b*) for the words "ten shillings and sixpence" in both places where those words occur the words "fifteen shillings";

and accordingly the said paragraph 5 shall have effect in the form set out in the Second Schedule to this order.

(a) 7 & 8 Eliz. 2. c. 52. (b) 52 & 53 Vict. c. 63. (c) 11 & 12 Geo. 6. c. 29.

(2) The following provisions, being provisions which reproduce the said paragraph 5, that is to say—

(*a*) paragraph 3 of the Second Schedule to the Legal Aid and Advice Act, 1949(a);

(*b*) paragraph 5 of the Second Schedule to the Legal Aid and Solicitors (Scotland) Act, 1949(b);

(*c*) sub-paragraph (1) of paragraph 3 of Part I of the First Schedule to the Legal Aid (Assessment of Resources) Regulations, 1950(c); and

(*d*) sub-paragraphs (1) and (2) of paragraph 3 of Part I of the First Schedule to the Legal Aid (Scotland) (Assessment of Resources) Regulations, 1950(d),

shall each be amended in the manner in which the said paragraph 5 is amended by the foregoing paragraph of this Article.

Dated this twentieth day of July, 1959.

John Boyd-Carpenter,
Minister of Pensions and National Insurance.

Article 2

FIRST SCHEDULE

CONTAINING PARAGRAPH 3 OF THE SECOND SCHEDULE TO THE ACT AS AMENDED BY THIS ORDER*

3. Any capital resources not disregarded by virtue of either of the foregoing paragraphs shall—

(*a*) so far as their aggregate value does not exceed *one hundred pounds*, be disregarded together with all income therefrom;

(*b*) so far as their aggregate value exceeds *one hundred pounds* but does not exceed *six hundred pounds*, be treated as equivalent to a weekly income of sixpence for each complete twenty-five pounds.

Article 3

SECOND SCHEDULE

CONTAINING PARAGRAPH 5 OF THE SECOND SCHEDULE TO THE ACT AS AMENDED BY THIS ORDER*

5.—(1) Any such payment or part of a payment as is specified in the following provisions of this paragraph shall be disregarded up to the amount of *thirty shillings* a week or, if the person in question is in receipt of more than one payment so specified, up to the said amount in the aggregate.

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* The words substituted by this order are shown in italics.
(a) 12, 13 & 14 Geo. 6. c. 51.
(b) 12, 13 & 14 Geo. 6. c. 63.
(c) S.I. 1950/1358 (1950 I, p. 1190).
(d) S.I. 1950/1514 (1950 I, p. 1227).

(2) The payments and parts of payments hereinbefore referred to are:—

(*a*) the first *fifteen shillings* a week of any payment of sick pay received from a friendly society or trade union;

(*b*) the first *fifteen shillings* a week of any superannuation payment or superannuation payments in respect of previous service or employment from which the recipient has retired or resigned (whether payable by a former employer or not), not being a payment or payments—

(i) on account of a pension under the Old Age Pensions Act, 1936(a), or under or by virtue of the Widows', Orphans' and Old Age Contributory Pensions Acts, 1936 to 1941, or under any enactment repealed by any of those Acts, or

(ii) on account of a retirement pension under the National Insurance Act, 1946(b);

(*c*) any payment by way of attendance allowance under section fourteen of the National Insurance Act, 1946, and any payment by way of maternity allowance under section fifteen of that Act;

(*d*) any of the following payments, that is to say—

(i) any payment in respect of retired pay or pension to which section sixteen of the Finance Act, 1919(c), applies, including any payment in respect of a dependants' allowance attached to such a pension,

(ii) any payment in respect of a disablement pension awarded under the Personal Injuries (Emergency Provisions) Act, 1939(d), including an increase in such a pension in respect of dependants,

(iii) any weekly payment by way of compensation under any enactment relating to workmen's compensation,

(iv) any payment by way of disablement benefit under section twelve of the National Insurance (Industrial Injuries) Act, 1946(e).

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order increases the amounts to be disregarded under paragraph 3 (which relates to capital assets) and paragraph 5 (which relates to certain kinds of income) of the Second Schedule to the National Assistance Act, 1948, and provides for the amendment in like manner of the Legal Aid and Advice Act, 1949, and the Legal Aid and Solicitors (Scotland) Act, 1949, and of regulations made thereunder so far as they reproduce the said paragraph 5.

(a) 26 Geo. 5 & 1 Edw. 8. c. 31. (b) 9 & 10 Geo. 6. c. 67. (c) 9 & 10 Geo. 5. c. 32.
(d) 2 & 3 Geo. 6. c. 82. (e) 9 & 10 Geo. 6. c. 62.