2001 No. 100

NATIONAL ASSISTANCE SERVICES

The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2001

Made	*14th March 2001*
Laid before the Scottish Parliament	*15th March 2001*
Coming into force	*9th April 2001*

The Scottish Ministers, in exercise of the powers conferred by section 22(4) of the National Assistance Act 1948(**a**) (including that provision as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968(**b**)) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2001 and shall come into force on 9th April 2001.

(2) These Regulations extend to Scotland only.

Sum needed for personal requirements

2. The sum which under section 22(4) of the National Assistance Act 1948, a local authority shall assume that a person will need for his or her personal requirements per week shall be £16.05 (the previous sum was £15.45(**c**)).

(a) 1948 c.29; Section 64(1) of the National Assistance Act 1948 defines the term "prescribed". Section 87(4) of the Social Work (Scotland) Act 1968 (c.49) substitutes the term "Secretary of State" for the term "Minister". The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) 1968 Act c.49; section 87(3) was amended by the Social Security Act 1980 (c.30) Schedule 4, paragraph 5; the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 20; the Social Security Act 1986 (c.50), Schedule 10, paragraph 41 and the National Health Service and Community Care Act 1990 (c.19), section 66 and Schedule 9, paragraph 10(13). By virtue of section 87(3) of the 1968 Act accommodation provided under the 1968 Act or under section 7 of the Mental Health (Scotland) Act 1984 (c.36) shall be regarded as accommodation provided under Part III of the 1948 Act.

(c) The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2000 (S.S.I. 2000/80), which are revoked by these Regulations.

Revocation

3. The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2000(**a**), are hereby revoked.

MALCOLM CHISHOLM
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
14th March 2001

(**a**) S.S.I. 2000/80.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the weekly sum which local authorities in Scotland are to assume, in the absence of special circumstances, that residents in accommodation arranged under the Social Work (Scotland) Act 1968 or section 7 of the Mental Health (Scotland) Act 1984 will need for their personal requirements.

From 9th April 2001 all residents will be assumed to need £16.05 per week for their personal requirements.

These Regulations supersede the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2000 (which provided for the sum residents were assumed to need from 10th April 2000) which are revoked.

S C O T T I S H S T A T U T O R Y I N S T R U M E N T S

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