SCOTTISH STATUTORY INSTRUMENTS

2025 No. 30

NATIONAL ASSISTANCE SERVICES

The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2025

Made - - - -	*5th February 2025*
Laid before the Scottish Parliament	*7th February 2025*
Coming into force - -	*7th April 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 22(4) of the National Assistance Act 1948(**a**), as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968(**b**) and all other powers enabling them to do so.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2025 and come into force on 7 April 2025.

(2) These Regulations extend to Scotland only.

Sums needed for personal requirements

2. For the purposes of section 22(4) of the National Assistance Act 1948, as applied by section 87(3) and (4) of the Social Work (Scotland) Act 1968, the amount which a local authority is to assume that a person will need for their personal requirements per week is £35.90.

(**a**) 1948 c.29 (11 & 12 Geo. 6) ("the 1948 Act"). Section 64(1) of the 1948 Act contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made. Section 87(4) of the Social Work (Scotland) Act 1968 (c. 49) ("the 1968 Act") substitutes the term "Secretary of State" for the term "Minister". The functions of the Secretary of State so far as exercisable within devolved competence were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(**b**) 1968 c. 49. Section 87(3) of the 1968 Act was amended by section 28(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) ("the 2003 Act") and by section 62(2) of the Adult Support and Protection (Scotland) Act 2007 (asp 10). Section 87(4) of the 1968 Act was amended by section 28(1) of the 2003 Act. By virtue of section 87(3) of the 1968 Act, accommodation provided under that Act or under section 25 of the 2003 Act is regarded as accommodation provided under Part III of the 1948 Act.

Revocations

3. The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2024(**a**) are revoked.

MAREE TODD
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
5th February 2025

(**a**) S.S.I. 2024/22.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the amount which a local authority is to assume that a person will need for their personal requirements per week, in assessing the person's ability to pay for accommodation provided under the Social Work (Scotland) Act 1968 ("the 1968 Act") or section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 ("the 2003 Act").

Section 22(4) of the National Assistance Act 1948 as applied by section 87(3) and (4) of the 1968 Act requires a local authority to assume in assessing a person's ability to pay for accommodation provided under the 1968 Act or section 25 of the 2003 Act that the person will need for their personal requirements such sum per week as may be prescribed by regulations.

These Regulations prescribe the sum of £35.90 per week from 7 April 2025.

These Regulations revoke the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2024 which previously prescribed the sum of £34.50 per week.

No Business and Regulatory Impact Assessment has been prepared in respect of these Regulations on the basis that there is no foreseeable impact on business, charities or voluntary bodies.

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