SCOTTISH STATUTORY INSTRUMENTS

2026 No. 43

NATIONAL ASSISTANCE SERVICES

The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2026

Made - - - -	*29th January 2026*
Laid before the Scottish Parliament	*2nd February 2026*
Coming into force - -	*6th April 2026*

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 2026 and come into force on 6 April 2026.

(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 £37.65.

(**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 2025(**a**) are revoked.

TOM ARTHUR
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
29th January 2026

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 £37.65 per week from 6 April 2026.

These Regulations revoke the National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2025 which previously prescribed the sum of £35.90 per week.

A Child Rights and Wellbeing Impact Assessment has been prepared and is available online at legislation.gov.uk.

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.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

(**a**) S.S.I. 2025/30.

ISBN 978-0-11-106546-4

£6.40

http://www.legislation.gov.uk/id/ssi/2026/43

9 780111 065464