



Cynulliad National  
Cenedlaethol Assembly for  
Cymru Wales

**ADRODDIAD GAN Y PWYLLGOR DEDDFAU**

**LEGISLATION COMMITTEE REPORT**

**The National Assistance (Residential Accommodation) (Additional Payments, Relevant Contributions and Assessment of Resources) (Wales) Regulations 2003**

These contain provision relating to payment for residential accommodation provided under Part III of the National Assistance Act 1948.

**Standing Order 11.5**

There are some minor drafting defects to which the Assembly is invited to pay special attention. These have been acknowledged on behalf of the Minister and will be appropriate for inclusion in a memorandum of corrections.

**Citation of Powers**

This should include section 22(5) of the National Assistance Act 1948. This is the power under which the National Assistance (Assessment of Resources) Regulations 1992 were made and is accordingly the power under which regulation 5 amends those Regulations. It is noted that section 22(5) has been cited in the corresponding amendment regulations which have been made for England.

**Regulation 6(2) – main wording**

In order for this to be clear in its intent it is thought that “part” in line 2 should be “that part” and “value” in line 5 should be “part”.

**Regulation 6(2)(b)**

The reference to “the payments described in sub paragraph (a)” is misleading as paragraph (b) is not referring to the payment specifically identified in paragraph (a) but to a

notional payment calculated on a different basis. Paragraph (b) needs to refer to the payments that the resident would be liable to pay in accordance with the regulations identified in paragraph (a) if his interest in the property was not taken into account.

Mick Bates AM  
**Chair, Legislation Committee**

18 March 2003