

NATIONAL ASSEMBLY FOR WALES

LEGISLATION COMMITTEE REPORT

The National Assistance (Sums for Personal Requirements)

(Wales) Regulations 2000

Background

Part III of the National Assistance Act 1948 concerns the provision, by local authorities, of residential accommodation for persons who need care and attention by reason of age, illness or disability.

Section 22 of the 1948 Act provides for the making of charges for such accommodation.

Section 22(3) specifically provides that where a person is unable to pay the standard rate set by the local authority, the authority are to determine at what lower rate that person should pay.

Section 22(4) provides that in assessing a person's ability to pay, the local authority are to assume that the person will need, for personal requirements, such sum per week as may be prescribed by regulations.

The present regulations prescribe £15.45 per week for the above purpose. This is in place of the currently prescribed amount of £14.75.

Standing Order 11.5

No points have been identified as matters in respect of which the Committee needs to invite the Assembly to pay special attention, under Standing Order 11.5.

There are, however, some comments which it is considered should be recorded.

Comment on the Regulations

Coming into Force Date

The draft regulations as laid before the Assembly leave this date uncompleted both in the second paragraph of the explanatory note and at the head of the instrument itself. The date should have been inserted. Also, although the heading to regulation 1 includes

"commencement" the actual provision for commencement has been omitted from that regulation. These matters should be capable of correction when the instrument is submitted for signature.

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