

*These notes refer to the Social Services and Well-being (Wales)
Act 2014 (c.4) which received Royal Assent on 1 May 2014*

SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 52 – Direct payments to meet a carer’s needs

193. **Section 52** provides the Welsh Ministers with a power to make regulations that require or allow a local authority to make payments (direct payments) towards the costs of meeting a carer’s needs for support.
194. The direct payments must be made to the carer himself or herself, who must consent to the making of the payments. Where the carer is an adult, or a child aged 16 or 17 the local authority must believe he or she has the capacity to consent to the making of the payments. Where the carer is a child aged under 16 the local authority must be satisfied that they have sufficient understanding to make an informed choice about receiving direct payments.
195. In all cases the local authority must be satisfied that making the payments is an appropriate way of meeting the carer’s needs and that the carer is capable of managing the payments, whether by him or herself, or with support.