



# Social Services and Well-being (Wales) Act 2014

2014 anaw 4

## PART 4

### MEETING NEEDS

#### *Meeting needs: exceptions and restrictions*

#### **49 Restrictions on provision of payments**

- (1) A local authority may not provide payments to meet a person's needs for care and support or a carer's needs for support under sections 35 to 45 unless—
  - (a) the payments are direct payments (see sections 50 to 53),
  - (b) the authority considers—
    - (i) that the person's needs are urgent, and
    - (ii) that it would not be reasonably practicable to meet those needs in any other way,
  - (c) the payments are provided under or by virtue of a contract, or
  - (d) the payments are provided in circumstances specified in regulations.
- (2) A local authority may not provide payments in the discharge of its duty under section 15(1) unless—
  - (a) the authority considers—
    - (i) that the payments would achieve one or more of the purposes mentioned in section 15(2), and
    - (ii) that it would not be reasonably practicable to achieve that purpose or those purposes in any other way,
  - (b) the payments are provided under or by virtue of a contract which relates to the provision of services for the authority's area, or
  - (c) the payments are provided in circumstances specified in regulations.

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*Status: Point in time view as at 06/04/2016.*

**Changes to legislation:** *Social Services and Well-being (Wales) Act 2014, Section 49 is up to date with all changes known to be in force on or before 23 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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**Modifications etc. (not altering text)**

**C1** Ss. 46-49 applied (1.4.2015 for specified purposes, 6.4.2016 in so far as not already in force) by [Care Act 2014 \(c. 23\)](#), **ss. 52(8)**, 127(1) (with s. 52(13)(14)); S.I. 2015/993, **art. 2(p)** (with transitional provisions in S.I. 2015/995); S.I. 2016/464, **art. 2(b)**

**Commencement Information**

**I1** S. 49 in force at 6.4.2016 by S.I. 2016/412, **art. 2** (with **art. 4**, Schs. 1, 2)

**Status:**

Point in time view as at 06/04/2016.

**Changes to legislation:**

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