



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

## 2014 anaw 4

### PART 4

#### MEETING NEEDS

##### *Direct payments*

#### **52 Direct payments to meet a carer's needs**

- (1) Regulations may require or allow a local authority to make payments to a person towards the cost of meeting a carer's needs for support under section 40, 42 or 45.
- (2) But regulations under subsection (1) may not require or allow payments to be made unless conditions 1 to 4 are met.
- (3) Condition 1 is that the payments are to be made to the carer who has needs for support (“C”).
- (4) Condition 2 is that—
  - (a) where C is an adult or a child aged 16 or 17, C has, or the local authority believes that C has, capacity to consent to the making of the payments;
  - (b) where C is a child aged under 16, the local authority is satisfied that C has sufficient understanding to make an informed decision about receiving direct payments.
- (5) Condition 3 is that the local authority is satisfied that—
  - (a) making the payments is an appropriate way of meeting C's needs, and
  - (b) C is capable of managing the payments (either by himself or herself or with the support that is available to C).
- (6) Condition 4 is that C has consented to the making of the payments.
- (7) A payment under this section is referred to in this Act as a “direct payment”.

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*Status: Point in time view as at 01/09/2022.*

**Changes to legislation:** *Social Services and Well-being (Wales) Act 2014, Section 52 is up to date with all changes known to be in force on or before 14 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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**Commencement Information**

**II** S. 52 in force at 6.4.2016 by S.I. 2016/412, **art. 2** (with **art. 4**, Schs. 1, 2)

**Status:**

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