



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 4 **E+W**

MEETING NEEDS

Meeting support needs of a carer

40 Duty to meet support needs of an adult carer **E+W**

- (1) A local authority must meet the needs for support of a carer who is an adult if it is satisfied that conditions 1, 2 and 3, and any conditions specified in regulations, are met.
- (2) Condition 1 is that the person cared for by the carer is—
 - (a) an adult who is—
 - (i) ordinarily resident in the local authority's area, or
 - (ii) of no settled residence and within the authority's area, or
 - (b) a disabled child who is within the authority's area.
- (3) Condition 2 is that the carer's needs meet the eligibility criteria.
- (4) Condition 3 is that—
 - (a) in so far as meeting the carer's needs involves the provision of support to the carer—
 - (i) there is not a charge under section 59 for meeting those needs, or
 - (ii) in so far as there is a charge, section 41(1) or (2) applies;
 - (b) in so far as meeting the carer's needs involves the provision of care and support to an adult cared for by the carer—
 - (i) there is not a charge under section 59 for meeting those needs and section 41(7), (8) or (9) applies, or
 - (ii) in so far as there is a charge, section 41(3) or (4) applies;

Status: Point in time view as at 01/09/2022.

Changes to legislation: *Social Services and Well-being (Wales) Act 2014, Section 40 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)*

- (c) in so far as meeting the carer's needs involves the provision of care and support to a disabled child aged 16 or 17 who is cared for by the carer—
 - (i) there is not a charge under section 59 for meeting those needs and section 41(7), (8) or (10) applies, or
 - (ii) in so far as there is a charge, section 41(5) or (6) applies;
- (d) in so far as meeting the carer's needs involves the provision of care and support to a disabled child aged under 16 who is cared for by the carer—
 - (i) there is not a charge under section 59 for meeting those needs and section 41(12) or (13) applies, or
 - (ii) in so far as there is a charge, section 41(5) or (6) applies.

Commencement Information

II S. 40 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with [art. 4](#), [Schs. 1, 2](#))

Status:

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