



2016 CHAPTER 18

PART 3

NOMINATED PERSON

Default nominated person

Section 73: meaning of “carer”

76.—(1) In section 73, the reference to a “carer” of P is to a person who is 16 or over and—

- (a) provides a substantial amount of care for and support to P—
 - (i) on a regular basis; and
 - (ii) on a domestic basis; or
- (b) where P is living in a relevant place, provided a substantial amount of care for and support to P on a regular basis and on a domestic basis, before the relevant time.

(2) For the purposes of subsection (1) care and support is provided on a domestic basis unless it is provided under a contract of employment, under any other contract with any person, or as a volunteer for any organisation.

(3) Where there are two or more persons within subsection (1), but one of them provides (or provided, before the relevant time) most of the care for and support to P, that person is P’s carer for the purposes of section 73.

(4) Where there are two or more persons within subsection (1) and subsection (3) does not apply, each of those persons is P’s “carer” (and accordingly section 74(3) applies).

(5) In this section “relevant place” and “the relevant time” have the same meaning as in section 73.