



Children Act 1989

1989 CHAPTER 41

PART III

LOCAL AUTHORITY SUPPORT FOR CHILDREN AND FAMILIES

Provision of services for children and their families

[^{F1}17A Direct payments

- (1) The Secretary of State may by regulations make provision for and in connection with requiring or authorising the responsible authority in the case of a person of a prescribed description who falls within subsection (2) to make, with that person's consent, such payments to him as they may determine in accordance with the regulations in respect of his securing the provision of the service mentioned in that subsection.
- (2) A person falls within this subsection if he is—
 - (a) a person with parental responsibility for a disabled child,
 - (b) a disabled person with parental responsibility for a child, or
 - (c) a disabled child aged 16 or 17,and a local authority ("the responsible authority") have decided for the purposes of section 17 that the child's needs (or, if he is such a disabled child, his needs) call for the provision by them of a service in exercise of functions conferred on them under that section.
- (3) Subsections (3) to (5) and (7) of section 57 of the 2001 Act shall apply, with any necessary modifications, in relation to regulations under this section as they apply in relation to regulations under that section.
- (4) Regulations under this section shall provide that, where payments are made under the regulations to a person falling within subsection (5)—
 - (a) the payments shall be made at the rate mentioned in subsection (4)(a) of section 57 of the 2001 Act (as applied by subsection (3)); and
 - (b) subsection (4)(b) of that section shall not apply.

Status: Point in time view as at 06/04/2003. This version of this provision has been superseded.

Changes to legislation: Children Act 1989, Section 17A is up to date with all changes known to be in force on or before 10 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)

- (5) A person falls within this subsection if he is—
- (a) a person falling within subsection (2)(a) or (b) and the child in question is aged 16 or 17, or
 - (b) a person who is in receipt of income support ^{F2}. . . under Part 7 of the Social Security Contributions and Benefits Act 1992 (c. 4) , of any element of child tax credit other than the family element, of working tax credit] or of an income-based jobseeker’s allowance.
- (6) In this section—
- “the 2001 Act” means the Health and Social Care Act 2001;
 - “disabled” in relation to an adult has the same meaning as that given by section 17(11) in relation to a child;
 - “prescribed” means specified in or determined in accordance with regulations under this section (and has the same meaning in the provisions of the 2001 Act mentioned in subsection (3) as they apply by virtue of that subsection).

Textual Amendments

- F1** S. 17A substituted (16.3.2003 for certain purposes and 8.4.2003 otherwise for E. and 1.11.2004 for W.) by 2001 c. 15, ss. 58, 70(2) (with ss. 64(9), 65(4)); S.I. 2003/850, **art. 3(1)(b)(2)(a)**; S.I. 2004/1754, **art. 2(2)(b)**
- F2** Words in s. 17A(5)(b) repealed (6.4.2003) by 2002 c. 21, ss. 60, 61, Sch. 6; S.I. 2003/962, **art. 2(3)(e)** Sch. 1 (subject to savings and transitional provisions in arts. 3, 4)

Status:

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