
Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008,
Cross Heading: Recovery of expenditure incurred under section 47(8) of the 1948 Act. (See end of Document for details)

SCHEDULES

SCHEDULE 13

TRANSITIONAL PROVISIONS RELATING TO S. 147

Recovery of expenditure incurred under section 47(8) of the 1948 Act

- 3 (1) Sub-paragraphs (3) to (5) apply in relation to expenditure incurred under section 47(8) of the 1948 Act in connection with the maintenance of any particular person (“A”).
- (2) In sub-paragraphs (3) to (5) “liability proceedings” means proceedings for the expenditure’s recovery under section 47(9) of the 1948 Act from a person other than A if the proceedings are brought against that other person (“B”) on account of B having, at a time before the appointed day, been for the purposes of the 1948 Act liable to maintain A.
- (3) No liability proceedings may be begun, or continued, on or after the appointed day; but this is subject to sub-paragraph (5).
- (4) Sub-paragraph (3) applies (subject to sub-paragraph (5))—
- (a) even to expenditure incurred before the appointed day, and
 - (b) even where A is maintained in pursuance of an order under section 47 of the 1948 Act made before the appointed day.
- (5) Where liability proceedings begun before the appointed day resulted in a court making an order before that day for the recovery of the expenditure from B, this Act does not prevent the enforcement of the order (whether by proceedings or otherwise) on or after the appointed day.
- (6) In this paragraph “the appointed day” means the day appointed under this Act for the coming into force of section 147(1)(b).

Commencement Information

- I1** Sch. 13 para. 3 in force at 6.4.2009 for W. by S.I. 2009/631, art. 2(b)
- I2** Sch. 13 para. 3 in force at 6.4.2009 except in relation to local authorities in W. by S.I. 2009/462, art. 4(b)

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