

## SCHEDULE

### Transitional and saving provisions

#### General transitional and saving provisions

**3.—**(1) Despite the amendments made by these Regulations, on or after the date on which these Regulations come into force—

- (a) support or services may continue to be provided, and
- (b) payments towards the cost of support or services may continue to be made,

in the case of a person to whom, or in relation to whom, support or services are being provided, or payments towards the cost of support or services are being made, immediately before these Regulations come into force.

(2) Sub-paragraph (1) applies until—

- (a) Part 4 of the Act applies in relation to the provision of support or services, or the making of payments towards the cost of support or services, in that person's case by virtue of transitional provision made in an order under section 199(2) of the Act (commencement), or
- (b) if earlier, 31 March 2017.

(3) Despite the amendments made by these Regulations—

- (a) any provision that operates in relation to, or by reference to, support or services provided, or payments towards the cost of support or services made, before or (in accordance with sub-paragraph (1)) on or after the date on which these Regulations come into force, and
- (b) anything done under that provision,

continue to have effect for the purpose of that support or those services or payments, subject to sub-paragraph (6).

(4) The references in sub-paragraph (3) to support or services provided, or payments made, before the date on which these Regulations come into force include support or services that are not provided but are or may be required or permitted to be provided, or payments that are not made but are or may be required or permitted to be made, before that date.

(5) The provision referred to in sub-paragraph (3) includes in particular provision about—

- (a) costs and other amounts payable and their recovery;
- (b) civil legal services (within the meaning of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012);
- (c) offences.

(6) Sub-paragraph (3) does not authorise a local authority to do any of the following on or after the date on which these Regulations come into force—

- (a) create a charge under section 22(1) of the 1983 Act;
- (b) make an order under section 23(1) of that Act;
- (c) enter into a deferred payment agreement under section 55(1) of the 2001 Act.

(7) Where under these Regulations an enactment ceases to have effect for a purpose for which a local authority holds land immediately before these Regulations come into force, the land is to be treated as appropriated for whatever purposes of the Act the authority may designate.

(8) Where under these Regulations an enactment ceases to have effect for a purpose for which a local authority has a right to use land immediately before these Regulations come into force—

**Changes to legislation:** There are currently no known outstanding effects for the The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016, Paragraph 3. (See end of Document for details)

- (a) the authority continues to have that right to use the land for whatever purposes of the Act the authority may designate, but
  - (b) that does not affect the circumstances (other than the enactment ceasing to have effect) in which the right ceases.
- (9) This paragraph is without prejudice to section 16 of the Interpretation Act 1978<sup>(1)</sup> (general savings).

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**Commencement Information**

**II** Sch. para. 3 in force at 6.4.2016, see [reg. 2\(1\)](#)

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<sup>(1)</sup> 1978 c. 30.

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