



Health And Social Services And Social Security Adjudications Act 1983

1983 CHAPTER 41

PART VII

CHARGES FOR LOCAL AUTHORITY SERVICES

17 Charges for local authority services in England and Wales.

- (1) Subject to subsection (3) below, an authority [^{F1}in England] providing a service to which this section applies may recover such charge (if any) for it as they consider reasonable.
- (2) This section applies to services provided under the following enactments—
 - ^{F2}(a)
 - ^{F2}(b)
 - ^{F2}(c)
 - ^{F2}(d)
 - (e) paragraph 1 of Part II of Schedule 9 to this Act ^{F3}...
 - ^{F4}(f)

[^{F5}(2A) Subject to subsection (3) below, an authority in Wales providing a service under section 2 of the Carers and Disabled Children Act 2000 in the form of residential care may recover such charge (if any) for it as they consider reasonable.]

- (3) If a person—
 - (a) avails himself of a service to which this section applies [^{F6}or a service within subsection (2A)], and
 - (b) satisfies the authority providing the service that his means are insufficient for it to be reasonably practicable for him to pay for the service the amount which he would otherwise be obliged to pay for it,

the authority shall not require him to pay more for it than it appears to them that it is reasonably practicable for him to pay.

Status: Point in time view as at 01/04/2015. This version of this provision has been superseded.

Changes to legislation: Health And Social Services And Social Security Adjudications Act 1983, Section 17 is up to date with all changes known to be in force on or before 27 June 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)

(4) Any charge under this section may, without prejudice to any other method of recovery, be recovered summarily as a civil debt.

[^{F7}(5) [^{F8}Subsection (2A), and subsections (3) and (4) so far as they relate to it, have] effect subject to any regulations under section [^{F9}15] of the Community Care (Delayed Discharges etc.) Act 2003 (power to require certain community care services and services for carers to be free of charge).]

Textual Amendments

- F1** Words in s. 17(1) inserted (E.W.) (18.3.2011) by Social Care Charges (Wales) Measure 2010 (nawm 2), **ss. 14(2)**, 18(3); S.I. 2011/849, art. 2, Sch.
- F2** S. 17(2)(a)-(d) omitted (1.4.2015) by virtue of The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), **Sch. para. 31(2)** (with arts. 1(3), 3)
- F3** Words in s. 17(2)(e) omitted (1.4.2015) by virtue of The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), **Sch. para. 31(3)** (with arts. 1(3), 3)
- F4** S. 17(2)(f) omitted (1.4.2015) by virtue of The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), **Sch. para. 31(2)** (with arts. 1(3), 3)
- F5** S. 17(2A) inserted (18.3.2011) by Social Care Charges (Wales) Measure 2010 (nawm 2), **ss. 14(4)**, 18(3); S.I. 2011/849, art. 2, Sch.
- F6** Words in s. 17(3)(a) inserted (1.4.2015) by The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), **Sch. para. 31(4)** (with arts. 1(3), 3)
- F7** S. 17(5) inserted (8.4.2003) by Community Care (Delayed Discharges etc.) Act 2003 (c. 5), **ss. 17(3)**, 20(2)
- F8** Words in s. 17(5) substituted (1.4.2015) by The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), **Sch. para. 31(5)(a)** (with arts. 1(3), 3)
- F9** Words "15 or" in s. 17(5) omitted (1.4.2015) by virtue of The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), **Sch. para. 31(5)(b)** (with arts. 1(3), 3) (note that the words "or 16" were inserted prosp. after "15" by Personal Care at Home Act 2010 (c. 18), s. 1(8))

Status:

Point in time view as at 01/04/2015. This version of this provision has been superseded.

Changes to legislation:

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