



Community Care (Delayed Discharges etc.) Act 2003

2003 CHAPTER 5

PART 1

DELAYED DISCHARGE PAYMENTS

Determination of need for community care services etc. on discharge

3 Notices under section 2: supplementary

- (1) A notice under section 2 remains in force until the patient to which it relates is discharged, unless it has previously ceased to have effect by virtue of subsection (2) or (3).
- (2) The responsible NHS body may withdraw the notice by giving notice of withdrawal to the responsible authority.
- (3) Regulations may prescribe other circumstances in which the notice ceases to have effect.
- (4) If the notice ceases to have effect before the patient is discharged—
 - (a) no further steps under section 4, 5 or 6 resulting from the notice shall be taken and no liability (or further liability) to make a payment under section 6(2) shall accrue; and
 - (b) the responsible NHS body may (subject to section 2(1)) give a fresh notice under section 2 in relation to the patient;but paragraph (a) does not affect any liability which accrues before the notice ceases to have effect.
- (5) Regulations may provide for—
 - (a) the form and content of—
 - (i) notices under section 2; and

Status: This is the original version (as it was originally enacted).

- (ii) notices of withdrawal under subsection (2),
and the manner in which such notices are to be given;
- (b) circumstances in which notices under section 2 must be withdrawn; and
- (c) determining the day on which a notice under section 2 or a notice of withdrawal under subsection (2) is given (including provision prescribing circumstances in which a notice under section 2 is to be treated for any specified purpose as having been given on a day other than that on which it was in fact given).