

2003 No. 1196

SOCIAL SERVICES, ENGLAND

**The Community Care (Delayed Discharges etc.) Act
(Qualifying Services) (England) Regulations 2003**

<i>Made</i> - - - - -	<i>30th April 2003</i>
<i>Laid before Parliament</i>	<i>8th May 2003</i>
<i>Coming into force</i> - -	<i>9th June 2003</i>

The Secretary of State for Health, in exercise of the powers conferred upon him by section 15(1), (2) and (5), of the Community Care (Delayed Discharges etc.) Act 2003^(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Community Care (Delayed Discharges etc.) Act (Qualifying Services) (England) Regulations 2003 and shall come into force on 9th June 2003.

(2) These Regulations apply to England only.

Interpretation

2. In these Regulations—

- (a) “community equipment (aids and minor adaptations) service” means a qualifying service^(b) which consists of the provision of an aid, or a minor adaptation to property, for the purposes of assisting with nursing at home or aiding daily living; and, for the purposes of this paragraph, an adaptation is “minor” if the cost of making the adaptation is £1000 or less; and
- (b) “intermediate care” means a qualifying service which consists of a structured programme of care provided for a limited period of time to assist a person to maintain or regain the ability to live in his home.

Qualifying services

3. The qualifying services prescribed for the purposes of section 15(1) of the Community Care (Delayed Discharges etc.) Act 2003 are intermediate care and community equipment (aids and minor adaptations) services.

Qualifying services to be provided free of charge

4.—(1) A community equipment (aids and minor adaptations) service is required to be provided free of charge to any person to whom it is provided where the provision of that service begins on or after the date on which these regulations come into force.

(a) 2003 c. 5 (“the 2003 Act”).

(b) *see* section 15(3) of the 2003 Act for the definition of “qualifying service”.

(2) A period of intermediate care which begins on or after these regulations come into force is required to be provided free of charge to any person to whom it is provided for any period up to and including six weeks.

Signed by authority of the Secretary of State for Health

30th April 2003

Jacqui Smith
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe certain services and require local authorities to provide those services free of charge to the person to whom the service is provided, and make certain other provision in relation to the timing of the requirement to provide them for free.

£1.50

© Crown copyright 2003

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E0673 5/2003 130673 19585

ISBN 0-11-045839-7



9 780110 458397