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STATUTORY INSTRUMENTS

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**2003 No. 762**

**The Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2003**

**Maximum periods of residential accommodation which may be secured by means of a direct payment**

7.—(1) Subject to paragraph (2), a direct payment may not be made in respect of a person who falls within regulation 2(1) for the provision to him of residential accommodation of a period in excess of 4 weeks in any period of 12 months.

(2) In calculating the period of 4 weeks mentioned in paragraph (1) a period in residential accommodation of less than 4 weeks shall be added to any succeeding period in residential accommodation where the two periods are separated by a period of less than 4 weeks but not otherwise.

(3) A direct payment may not be made in respect a person who falls within regulation 3 for the provision of residential accommodation—

- (a) for any single period in excess of 4 weeks, and
- (b) for any period in excess of 120 days in any period of 12 months.