
STATUTORY INSTRUMENTS

2003 No. 762

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

Displaced functions and obligations of the responsible authority

8.—(1) Except as provided by paragraph (2), the fact that an authority make a direct payment shall not affect their functions with respect to the provision under the relevant enactment of the service to which the payment relates.

(2) Where a responsible authority make a direct payment, they shall not be under any obligation with respect to the provision under the relevant enactment of the service to which the payment relates as long as they are satisfied that the need which calls for the provision of the service will be secured by the payee's own arrangements.

(3) In paragraphs (1) and (2), references to the relevant enactment, in relation to the provision of a service, are to the enactment under which the service would fall to be provided apart from these Regulations.