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STATUTORY INSTRUMENTS

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**2013 No. 1617**

**The National Health Service (Direct  
Payments) Regulations 2013**

**PART 2**

**Direct Payments**

**Persons to whom a direct payment may be made**

- 3.—**(1) A direct payment may be made to a person who—
- (a) is a person for whose benefit anything may or must be provided or arranged by a health body—
    - (i) under the 2006 Act, or
    - (ii) in the case of a CCG or the Board, under any other enactment; and
  - (b) consents to the making of a direct payment to them.
- (2) In determining whether a direct payment should be made to a person falling within paragraph (1), a health body must have regard to—
- (a) whether it is appropriate for a person with that person's condition;
  - (b) the impact of that condition on that person's life; and
  - (c) whether a direct payment represents value for money.
- (3) A direct payment may only be made to a person falling within paragraph (1) if the person—
- (a) is aged 16 or over;
  - (b) has capacity to consent to the making of a direct payment to them; and
  - (c) is not a person described in the Schedule (persons excluded from direct payments).