
WELSH STATUTORY INSTRUMENTS

2001 No. 3985

**The Preserved Rights (Transfer of Responsibilities
to Local Authorities) (Wales) Regulations 2001**

Ordinarily resident

4.—(1) A person is to be treated as ordinarily resident in any premises for the purposes of section 50 if the person is in fact resident in such premises or is temporarily absent from such premises.

(2) For the purposes of this regulation “temporarily absent” means absent for a period which does not exceed —

- (a) unless throughout the period of absence the person was a patient —
 - (i) 4 weeks, where the person was before the period of absence a temporary resident in relevant premises;
 - (ii) 13 weeks, where the person was before the period of absence a permanent resident in relevant premises;
- (b) 52 weeks, where throughout the period of absence the person was a patient.

(3) For the purposes of this regulation —

- (a) a “patient” means a person (other than a prisoner) who is regarded as receiving free in-patient treatment within the meaning of the Social Security (Hospital In-Patients) Regulations 1975(1); and
- (b) a person is a permanent resident in relevant premises where those premises are the person’s principal place of abode, and a temporary resident where such premises are not the person’s principal place of abode.