

WELSH STATUTORY INSTRUMENTS

2004 No. 1011

The Adoption Support Services (Local Authorities) (Wales) Regulations 2004

PROSPECTIVE

Procedure in determining whether financial support should be paid

12.—(1) This regulation applies where —

- (a) the local authority assesses a person's needs for adoption support services, and the assessment relates to the person's need for financial support; or
- (b) the local authority reviews the provision of adoption support services in respect of a person, and the review relates to the person's need for financial support.

(2) The local authority must —

- (a) supply information to the adoptive parents about financial support, including the basis upon which financial support is determined;
- (b) give notice in accordance with paragraph (3) to the adoptive parents of their proposed decision as to —
 - (i) whether financial support should be paid;
 - (ii) the proposed amount, if any, which would be payable; and
 - (iii) whether the financial support should be paid subject to any conditions that may be imposed in accordance with paragraph (4);
- (c) consider any representations received from the adoptive parents within the period specified in the notice;
- (d) make a decision as to whether financial support should be paid and the conditions, if any, which should be imposed, determine the amount, if any, which would be payable and notify the adoptive parents of that decision and determination.

(3) A notice under paragraph (2)(b) must state the period of time within which the adoptive parents may make representations to the local authority concerning the proposed decision, and the local authority must not make a decision or determination under paragraph (2)(d) until after the expiry of that period.

(4) Where the local authority decide that financial support is to be paid for a particular purpose, they may pay the financial support subject to a condition as to how the payment is to be used and may specify the date by which the condition is to be met.

(5) Where the local authority are satisfied that a condition notified under paragraph (2)(d) has not been met by the date, if any, specified in the notice, they may require that the payment or an appropriate part of the payment be repaid.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Adoption Support Services (Local Authorities) (Wales) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Reg. 12 in force at 1.10.2004, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2005/1512 reg. 18\(1\)](#)
- reg. 12 coming into force by [S.I. 2004/1011 reg. 1\(1\)](#)