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WELSH STATUTORY INSTRUMENTS

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**2004 No. 1748**

**The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004**

**Interpretation**

2.—(1) In these Regulations —

- “the 1983 Act” (“*Deddf 1983*”) means the Mental Health Act 1983(1);
- “the 1984 Act” (“*Deddf 1984*”) means the Mental Health (Scotland) Act 1984(2);
- “the 1989 Act” (“*Deddf 1989*”) means the Children Act 1989;
- “the 1995 Act” (“*Deddf 1995*”) means the Criminal Procedure (Scotland) Act 1995(3);
- “the 2000 Act” (“*Deddf 2000*”) means the Powers of Criminal Courts (Sentencing) Act 2000(4);
- “the 2001 Act” (“*Deddf 2001*”) means the Health and Social Care Act 2001;
- “the 2003 Regulations” (“*Rheoliadau 2003*”) means the Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2003(5);
- “direct payment” (“*taliad uniongyrchol*”) shall be construed in accordance with regulation 5;
- “prescribed person” (“*person rhagnodedig*”) means a person falling within the description prescribed by regulation 3 or (as the case may be) 4;
- “relevant service” (“*gwasanaeth perthnasol*”) has the meaning given by regulation 5(2); and
- “responsible authority” (“*awdurdod cyfrifol*”) shall be construed in accordance with section 57(2) of the 2001 Act or (as the case may be) section 17A(2) of the 1989 Act(6).

(2) In these Regulations—

- (a) a reference to a numbered regulation or Schedule is to the regulation in, or the Schedule to, these Regulations bearing that number;
- (b) a reference in a regulation or a Schedule to a numbered paragraph is a reference to the paragraph bearing that number in that regulation or that Schedule;
- (c) a reference in a paragraph to a numbered sub-paragraph is a reference to the sub-paragraph bearing that number in that paragraph.

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(1) 1983 c. 60.

(2) 1984 c. 36.

(3) 1995 c. 46.

(4) 2000 c. 6.

(5) S.I.2003/762.

(6) Under section 57(2) of the Health and Social Care Act 2001 and section 17A(2) of the Children Act 1989, the “responsible authority” in relation to a prescribed person is the local authority that has decided: (i) that his or her needs call for the provision by them of a particular community care service; (ii) to provide him or her with services by virtue of section 2(1) of the Carers and Disabled Children Act 2000; or (iii) that the needs of a disabled child call for the provision of services to the prescribed person under section 17 of the Children Act 1989.