
WELSH STATUTORY INSTRUMENTS

2011 No. 962

The Social Care Charges (Means Assessment and Determination of Charges) (Wales) Regulations 2011

Transitory provision

- 20.**—(1) Where an assessment has effect in accordance with regulation 18 a local authority—
- (a) must apply the provisions of regulations 4, 5, 6 and 14 to such an assessment, notwithstanding that it was not undertaken in accordance with these Regulations, save that regulation 6(2) does not have effect,
 - (b) is not required to act in accordance with section 4 of the Measure or regulation 7, save that regulation 7(2) has effect,
 - (c) must carry out an assessment of a service user's means in accordance with section 5 of the Measure where each of the conditions in section 6 of the Measure are met and the service user has requested such an assessment, and
 - (d) must make a determination as to a service user's ability to pay a charge, in accordance with regulation 15, as though the assessment of the service user's means had been undertaken in accordance with section 7 or 9 of the Measure.
- (2) Regulation 16(3) has effect in respect of any determination made in accordance with paragraph (1)(d) as though the earlier statement referred to in that regulation is a determination which has effect in accordance with regulation 18.