

SCHEDULE

Transitional and saving provisions

Transitional provision in relation to enforcement of debts

4.—(1) Subject to sub-paragraphs (4) and (5), a sum or charge to which sub-paragraph (2) applies is recoverable under section 70 of the Act (recovery of charges, interest etc) as if it were an amount due to the local authority in question under Part 5 of the Act.

(2) This sub-paragraph applies to any sum or charge due to a local authority in Wales under any of the relevant provisions in respect of support or services (including a sum or charge which becomes due on or after the date on which these Regulations come into force).

(3) For the purposes of sub-paragraph (2), the relevant provisions are—

- (a) Part 3 of the 1948 Act (local authority services);
- (b) section 17 of the 1983 Act (charges for local authority services in England and Wales);
- (c) section 29 of the Children Act 1989⁽¹⁾;
- (d) Part 3 of Schedule 2 to that Act;
- (e) the Social Care Charges (Wales) Measure 2010⁽²⁾.

(4) Sub-paragraph (1) does not apply to a sum or charge in respect of which proceedings for recovery have begun prior to these Regulations coming into force.

(5) A sum or charge is recoverable under sub-paragraph (1) within the period within which it would, but for this paragraph, have been recoverable under section 56 of the 1948 Act (legal proceedings) or, as the case may be, under any of the relevant provisions.

(6) Notwithstanding paragraph 3(3) of this Schedule, neither section 56(1) of the 1948 Act nor any of the relevant provisions apply in relation to a sum or charge which is recoverable under sub-paragraph (1).

(1) 1989 c. 41.
(2) 2010 nawm 2.