



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 4

MEETING NEEDS

Direct payments

52 Direct payments to meet a carer's needs

- (1) Regulations may require or allow a local authority to make payments to a person towards the cost of meeting a carer's needs for support under section 40, 42 or 45.
- (2) But regulations under subsection (1) may not require or allow payments to be made unless conditions 1 to 4 are met.
- (3) Condition 1 is that the payments are to be made to the carer who has needs for support ("C").
- (4) Condition 2 is that—
 - (a) where C is an adult or a child aged 16 or 17, C has, or the local authority believes that C has, capacity to consent to the making of the payments;
 - (b) where C is a child aged under 16, the local authority is satisfied that C has sufficient understanding to make an informed decision about receiving direct payments.
- (5) Condition 3 is that the local authority is satisfied that—
 - (a) making the payments is an appropriate way of meeting C's needs, and
 - (b) C is capable of managing the payments (either by himself or herself or with the support that is available to C).
- (6) Condition 4 is that C has consented to the making of the payments.
- (7) A payment under this section is referred to in this Act as a "direct payment".