



2010 CHAPTER 13

PART 1

SOCIAL SECURITY

*Community care grants*

**Community care grants relating to specified goods or services**

**15.—**(1) The Contributions and Benefits Act is amended as follows.

(2) In section 134 (payments out of social fund), after subsection (2) insert—

“(2A) If or to the extent that directions issued under subsection (2) of section 136 by virtue of subsection (4)(ca) of that section require the award of a community care grant to be expressed as the award of a payment for goods or services specified in the award, the power to make a payment out of the social fund under subsection (1)(b) shall be exercised by making a payment to a third party specified in the award, with a view to the third party providing, or arranging for the provision of, the specified goods or services for the applicant.”.

(3) In subsection (3) of that section, for “The power” substitute “If or to the extent that subsection (2A) does not apply, the power”

(4) In section 135 (awards by social fund officers), in subsection (1), after “how much it is to be” insert “or, where section 134(2A) applies, what goods or services are to be specified”.

(5) For subsection (5) of that section substitute—

“(5) Payment of an award shall be made to the applicant unless—

(a) section 134(2A) applies, or

(b) the appropriate officer determines otherwise.”.

(6) In section 136 (principles of determination), in subsection (4), after paragraph (c) insert—

“(ca) that, except in circumstances specified in the direction, an appropriate officer shall express an award of a community care grant as the award of a payment for goods or services that are—

(i) determined by the appropriate officer in accordance with the direction,

(ii) specified in the award, and

(iii) to be provided by, or under arrangements made by, a specified person with whom arrangements have been made by the Department.”.

(7) After that subsection insert—

“(4A) The reference in subsection (1) to the amount or value to be awarded is, in a case where directions under subsection (4)(ca) apply, to be read as a reference to the goods or services to be specified in the award.”.

### **Community care grants: reviews and information**

**16.—(1)** In Article 38 of the 1998 Order (reviews of determinations) in paragraph (1)—

(a) in sub-paragraph (a), after “social fund determination” insert “other than an excluded determination”, and

(b) in sub-paragraph (b), for “such a determination” substitute “a social fund determination”.

(2) After that paragraph insert—

“(1A) For the purposes of paragraph (1)(a) an “excluded determination” is any determination to award a community care grant where the award is expressed as the award of a payment for goods or services specified in the award, other than such a determination made in prescribed circumstances.”.

(3) After section 116D of the Administration Act insert—

*“Persons supplying goods and services to recipients of community care grant*

### **116E Supply of information in connection with community care grants**

(1) In this section “relevant supplier” means—

(a) a person with whom the Department has made arrangements of the kind mentioned in section 136(4)(ca)(iii) of the Contributions and Benefits Act (arrangements for supply of goods or services in connection with community care grants), or

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*Status: This is the original version (as it was originally enacted).*

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(b) a person providing services to such a person.

(2) Regulations may make provision authorising the Department or a person providing services to the Department, to supply to relevant suppliers information relating to community care grants.

(3) Regulations may make provision authorising or requiring relevant suppliers to supply to the Department or a person providing services to the Department, information relating to the operation of the arrangements.

(4) Regulations under this section must specify the purposes for which information may be supplied by virtue of subsection (2) or (3), which must be purposes connected with community care grants.

(5) Regulations may make provision as to the use or disclosure of information supplied under the regulations (including provision creating criminal offences).

(6) In this section “community care grant” has the same meaning as in Part 8 of the Contributions and Benefits Act.”.

#### **Regulations relating to information: Assembly control**

**17.** In section 166 of the Administration Act (Assembly control of orders and regulations), in subsection (2), after paragraph (ab) insert—

“(ac) regulations under section 116E(5) which create an offence or increase the penalty for an offence;”.