
WELSH STATUTORY INSTRUMENTS

2005 No. 1512

The Adoption Support Services (Local Authorities) (Wales) Regulations 2005

Review of financial support

17.—(1) The local authority must review any financial support —

- (a) annually, on receipt of a statement from the adoptive parents as to —
 - (i) their financial circumstances;
 - (ii) the financial needs and resources of the child;
 - (iii) their address and whether the child still has a home with them (or either of them); and
- (b) if any change in the circumstances of the adoptive parents or the child, including any change of address, comes to their notice.

(2) Paragraphs (3) to (6) will apply where financial support is payable in instalments or periodically.

(3) The local authority may vary, suspend or terminate payment of the financial support if, as a result of a review, it considers that the adoptive parents' need for it has changed or ceased since the amount of financial support was last determined.

(4) Subject to paragraph (5), where any condition imposed in accordance with regulation 13(3) is not complied with, the local authority may —

- (a) review, suspend or cease payment of financial support; and
- (b) seek to recover all or part of the financial support they have paid.

(5) Where the condition not complied with is the requirement to provide an annual statement in accordance with an agreement referred to in regulation 11(3)(c), the local authority shall not take any steps under paragraph (4) until —

- (a) they have sent to the person who entered into the agreement a written reminder of the need to provide an annual statement; and
- (b) 28 days have expired since the date on which that reminder was sent.

(6) Where, having taken the steps specified in paragraph (5), the local authority determine under paragraph (4) that payment of financial support should be suspended, they may lift that suspension on receipt of the annual statement referred to in regulation 11(3)(c).

(7) The local authority must terminate payment of financial support when —

- (a) the child ceases to have a home with the adoptive parents (or either of them);
- (b) the child ceases full-time education or training and commences employment;
- (c) the child qualifies for income support or jobseeker's allowance in his or her own right; or
- (d) the child attains the age of 18, unless the child continues in full-time education or training, when it may continue until the end of the course of education or training which the child is then undertaking.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) Regulations 9, 10 and 12 apply in relation to a review under this regulation as they apply in relation to an assessment under regulation 8.

(9) If the local authority decides to vary, suspend or terminate payment of the financial support, or revise the plan, it must give notice of the proposal in accordance with regulation 9(1), which must include the reasons for the proposal and paragraphs (3) and (4) of regulation 13 apply to a decision under paragraph (3) as they apply to a decision under paragraph (1) of that regulation.