

SOCIAL CARE CHARGES (WALES) MEASURE 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7 – Determinations as to ability to pay

14. Subsection (1) applies where a means assessment is carried out. It requires a local authority to determine, in the light of the assessment, whether it is reasonably practicable for the service user to pay the standard charge. If it is not, the local authority is required to determine what (if anything) it would be reasonably practicable for them to pay.
15. Subsection (2) requires the local authority to discharge its duties under subsection (1) in accordance with provision made in regulations by the Welsh Ministers. Subsection (3) gives some examples of how this power might be exercised.
16. Subsection (4) defines the term ‘standard charge’, as referred to in subsection (1) and in section 10.