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WELSH STATUTORY INSTRUMENTS

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**2002 No. 324**

**The Care Homes (Wales) Regulations 2002**

**PART VII**

**MISCELLANEOUS**

**Adult placements**

**46.**—(1) For the purposes of this regulation and regulation 47, a registered provider is an adult placement carer in respect of a care home if—

- (a) he or she is the registered provider in respect of, and manages, the care home;
- (b) no person other than the registered provider manages the care home;
- (c) the care home is, or forms part of—
  - (i) the registered provider's home; or
  - (ii) if the registered provider has more than one home, the home where he or she ordinarily resides;
- (d)
  - (i) no more than two service users are accommodated in the care home; or
  - (ii) no more than three service users are accommodated in the home if every such service user was accommodated under an agreement described in sub-paragraph (e) at any time before 1st April 2002;
- (e) a placement agreement has been made in respect of each of the service users;
- (f) each service user is over the age of 18.

(2) In this regulation, "placement agreement" means an agreement that—

- (a) has been made between—
  - (i) the registered provider;
  - (ii) the service user; and
  - (iii) the local authority or other body which manages a scheme ("adult placement scheme" ("*cynllun lleoliadau oedolion*")) under which it has arranged or proposes to arrange for the service user to be accommodated in a care home;
- (b) makes provision for the following matters—
  - (i) the aims of the arrangements under which the service user is accommodated in the care home;
  - (ii) the room to be occupied by the service user;
  - (iii) the services to be provided to the service user;
  - (iv) the fees to be charged;
  - (v) the qualifications and experience of the registered provider;
  - (vi) the terms and conditions in respect of the accommodation and services to be provided;

- (vii) the services and assistance to be provided under the adult placement scheme under which the accommodation is or has been arranged.