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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1512**

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

**Decision to provide support**

**13.**—(1) The local authority must, having regard to the assessment and any representations made following the notice given in accordance with regulation 9, decide —

- (a) whether the person has needs for adoption support services;
- (b) if so, whether to provide any such services to that person; and
- (c) the conditions, if any, which are to be imposed in accordance with paragraph (3)

and, subject to paragraph (5), must give notice in writing of that decision, which must include the reasons for the decision and a copy of the plan referred to in regulation 10.

(2) Where the plan referred to in regulation 10(2) includes the provision of services by a local health board, NHS Trust, Primary Care Trust or a local education authority, the local authority must give a copy of that part of the plan that refers to such services to the local health board, NHS Trust, Primary Care Trust and or the local education authority, as appropriate.

(3) The local authority may impose such conditions as it considers appropriate upon the payment of financial support, which may include conditions as to —

- (a) the timescale within which and the purposes for which the payment should be utilised; and
- (b) the requirement to comply with the agreement referred to in regulation 11(3).

(4) Where the local authority decides that financial support is to be paid, it must be paid as a single payment except that if —

- (a) the local authority and the person to whom financial support is to be paid agree; or
- (b) the local authority decides that financial support is to be paid to meet any needs which are likely to give rise to expenditure which is likely to be recurring;
- (c) it can be paid —
  - (i) in instalments on such dates as the local authority may specify; or
  - (ii) periodically until such date (if any) as the local authority may specify.

(5) The following matters must be specified in the notice under paragraph (1) —

- (a) the method of the determination of the amount of financial support;
- (b) where financial support is to be paid in instalments or periodically —
  - (i) the amount of financial support;
  - (ii) the frequency with which the payment will be made;
  - (iii) the date (if any) until which financial support is to be paid;
  - (iv) the date of the first payment of financial support;

(c) where financial support is to be paid as a single payment, the date on which the payment is to be made;

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

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- (d) where financial support is to be paid subject to any conditions imposed in accordance with paragraph (3), those conditions, the date (if any) by which the conditions are to be met and the consequences of failing to meet the conditions;
- (e) the arrangements and procedure for review, variation and termination of financial support;
- (f) the responsibilities of —
  - (i) the local authority under regulation 17 (review of financial support); and
  - (ii) the adoptive parents pursuant to their agreement under regulation 11(3).