
WELSH STATUTORY INSTRUMENTS

2015 No. 1841

The Care and Support (Deferred Payment) (Wales) Regulations 2015

Adequate security

4.—(1) A local authority must obtain—

- (a) adequate security for the payment of the adult's required amount and any interest or administration costs which are to be treated in the same way as the adult's required amount; and
- (b) the consent referred to in paragraph (2), if the local authority considers it necessary to do so.

(2) The consent required by paragraph (1)(b) is consent which in the opinion of the local authority is genuine and informed consent, given in writing, to the matters specified in paragraph (3) by any person—

- (a) whom the local authority considers has an interest in the property over which the charge will be created; and
- (b) whose interest the local authority considers may prevent it from exercising a power of sale of the property or recovering the required amount and any interest and administration costs which are to be treated in the same way as the required amount.

(3) The matters specified for the purpose of paragraph (2) are—

- (a) the creation of a charge; and
- (b) the charge taking priority over and ranking before any interest the person has in the property over which the charge will be created.