

*These notes refer to the Social Services and Well-being (Wales)  
Act 2014 (c.4) which received Royal Assent on 1 May 2014*

# **SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 53– Direct payments: further provision***

196. **Section 53** contains further provision about the power to make regulations in the previous three sections (sections 50 to 52) and sets out a wide range of related matters about which they can make provision.
197. Subsections (3) and (4) provide that the regulation-making powers may be exercised to make provision in relation to direct payments which corresponds to the provisions made in relation to charges under Part 5. By way of example, regulations could make provision for the amount a person must pay by way of reimbursement or contribution.
198. Subsection (5) provides that regulations made under sections 50 to 52 must require local authorities to take specified steps to ensure that ‘relevant persons’ (as defined in subsection (6)) are enabled to make informed choices about the use of direct payments.
199. Subsection (7) provides that regulations made under section 51 must not require direct payments made to meet a child’s care and support needs to be subject to a requirement to reimburse the local authority’s costs where the person is receiving a benefit within a specified category.
200. Subsections (9) and (10) provide that a recipient of direct payments can purchase services from any person, including the local authority itself and, where that is the case, the local authority may charge even though it is otherwise under a duty to meet the needs in question.