



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 8 **E+W**

SOCIAL SERVICES FUNCTIONS

Codes

147 Departure from requirements in codes **E+W**

- (1) Where this section applies to a requirement in a code (see section 145(4)), a local authority may exercise social services functions in a way that does not comply with the requirement so far as—
 - (a) the authority considers there is good reason for it not to comply with the requirement in particular categories of cases or at all,
 - (b) it decides on an alternative policy for the exercise of its functions in respect of the subject matter of the requirement, and
 - (c) a policy statement issued by the authority in accordance with section 148 is in effect.
- (2) Where paragraphs (a) to (c) of subsection (1) apply, the authority—
 - (a) must follow the course set out in the policy statement, and
 - (b) is subject to the duty to comply with the requirement in the code only so far as the subject matter of the requirement is not displaced by the policy statement.
- (3) The duty to comply with a requirement in a code of practice or to follow the course set out in a policy statement does not apply to a local authority so far as it would be unreasonable for the authority to follow the code or policy statement in a particular case or category of case.

Changes to legislation: *Social Services and Well-being (Wales) Act 2014, Section 147 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

II S. 147 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with [art. 4](#), [Schs. 1, 2](#))

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 147(3) word inserted by [2016 anaw 2 Sch. 3 para. 64](#) (This amendment not applied to legislation.gov.uk. This is a change to the Welsh text only, which at present we are unable to apply.)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))