



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 4

MEETING NEEDS

Meeting support needs of a carer

40 Duty to meet support needs of an adult carer

- (1) A local authority must meet the needs for support of a carer who is an adult if it is satisfied that conditions 1, 2 and 3, and any conditions specified in regulations, are met.
- (2) Condition 1 is that the person cared for by the carer is—
 - (a) an adult who is—
 - (i) ordinarily resident in the local authority's area, or
 - (ii) of no settled residence and within the authority's area, or
 - (b) a disabled child who is within the authority's area.
- (3) Condition 2 is that the carer's needs meet the eligibility criteria.
- (4) Condition 3 is that—
 - (a) in so far as meeting the carer's needs involves the provision of support to the carer—
 - (i) there is not a charge under section 59 for meeting those needs, or
 - (ii) in so far as there is a charge, section 41(1) or (2) applies;
 - (b) in so far as meeting the carer's needs involves the provision of care and support to an adult cared for by the carer—
 - (i) there is not a charge under section 59 for meeting those needs and section 41(7), (8) or (9) applies, or
 - (ii) in so far as there is a charge, section 41(3) or (4) applies;

Status: This is the original version (as it was originally enacted).

- (c) in so far as meeting the carer's needs involves the provision of care and support to a disabled child aged 16 or 17 who is cared for by the carer—
 - (i) there is not a charge under section 59 for meeting those needs and section 41(7), (8) or (10) applies, or
 - (ii) in so far as there is a charge, section 41(5) or (6) applies;
- (d) in so far as meeting the carer's needs involves the provision of care and support to a disabled child aged under 16 who is cared for by the carer—
 - (i) there is not a charge under section 59 for meeting those needs and section 41(12) or (13) applies, or
 - (ii) in so far as there is a charge, section 41(5) or (6) applies.