

# CARE ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – Care and Support**

##### **Direct payments**

##### *Section 33 – Direct payments: further provision*

217. This section makes further provisions about direct payments.
218. *Subsections (1) and (2)* require the Secretary of State to make regulations, which may specify a number of further matters in relation to direct payments.
219. *Subsection (3)* makes clear that that a direct payment must only be used for the purpose of meeting the needs specified in the care and support or support plan.
220. *Subsection (4)* provides that the local authority must stop making direct payments if any of the conditions in sections 31 or 32 are no longer met.
221. *Subsection (5)* allows the local authority to stop making direct payments and to require repayment of direct payments it has already made if there is a breach of any condition imposed by the local authority as permitted by regulations made under subsections (2) (b) and (3) or if the direct payment is not used to pay for the needs specified in the care and support plan.