
STATUTORY INSTRUMENTS

2009 No. 1887

The Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009

Displaced functions and obligations of the responsible authority

14.—(1) Except as provided by paragraph (2), the fact that a responsible authority make a direct payment shall not affect their functions with respect to the provision under the relevant enactment of the service to which the payment relates.

(2) Where a responsible authority make a direct payment, they shall not be under any obligation with respect to the provision under the relevant enactment of the service to which the payment relates as long as they are satisfied that the need which calls for the provision of the service will be secured by—

- (a) in the case of direct payments under section 57(1) of the 2001 Act or section 17A(1) of the 1989 Act, the payee's own arrangements; or
- (b) in the case of direct payments under section 57(1A) of the 2001 Act, the arrangements made by S.

(3) In paragraphs (1) and (2), references to the relevant enactment, in relation to the provision of a service, are to the enactment under which the service would fall to be provided apart from these Regulations.