
WELSH STATUTORY INSTRUMENTS

2015 No. 1499 (W. 171)

SOCIAL CARE, WALES

**The Care and Support (Ordinary Residence)
(Specified Accommodation) (Wales) Regulations 2015**

<i>Made</i>	- - - -	<i>7 July 2015</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>10 July 2015</i>
<i>Coming into force</i>	- -	<i>6 April 2016</i>

The Welsh Ministers, in exercise of the powers conferred by section 194(1) of the Social Services and Well-being (Wales) Act 2014⁽¹⁾, make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Care and Support (Ordinary Residence) (Specified Accommodation) (Wales) Regulations 2015.

(2) These Regulations come into force on 6 April 2016 and apply to Wales.

(3) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014;

“care home accommodation” (“*llety cartref gofal*”) means accommodation in a care home within the meaning given by section 3 of the Care Standards Act 2000⁽²⁾.

Specified types of accommodation

2.—(1) For the purposes of section 194(1) of the Act (ordinary residence), care home accommodation is accommodation of a specified type.

7 July 2015

Mark Drakeford
Minister for Health and Social Services, one of
the Welsh Ministers

(1) 2014 anaw. 4.

(2) 2000 c. 14; section 3 was amended by the Health and Social Care Act 2008 (c. 14), section 95 and paragraph 4 of Schedule 5.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 194 of the Social Services and Well-being (Wales) Act 2014 (“the Act”) makes provision for establishing a person’s ordinary residence. Section 194(1) makes provision about an adult’s ordinary residence in a case where an adult is living in accommodation of a specified type.

Where an adult has needs for care and support which can be met only by living in accommodation of a specified type and is living in accommodation of a specified type in Wales, the adult is to be treated (by virtue of section 194(1) of the Act) as ordinarily resident in the area in which the adult was ordinarily resident immediately before the adult began to live in the specified type of accommodation. If the adult was of no settled residence immediately before beginning to live in a specified type of accommodation, the adult is treated as ordinarily resident in the area in which the adult was present at the time.

These Regulations provide that care home accommodation is accommodation of a specified type for the purposes of section 194(1) of the Act.