
WELSH STATUTORY INSTRUMENTS

2020 No. 131 (W. 24)

SOCIAL CARE, ENGLAND AND WALES

The Care and Support (Charging) (Wales) and Land Registration Rules (Miscellaneous Amendments) Regulations 2020

| | | |
|--|---------|-------------------------|
| <i>Made</i> | - - - - | <i>10 February 2020</i> |
| <i>Laid before the National Assembly for Wales</i> | - - | <i>12 February 2020</i> |
| <i>Coming into force</i> | - - | <i>6 April 2020</i> |

The Welsh Ministers in exercise of the powers conferred by sections 50, 52, 53(3), 61, 196(2) and 198(1) of the Social Services and Well-being (Wales) Act 2014⁽¹⁾, make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Care and Support (Charging) (Wales) and Land Registration Rules (Miscellaneous Amendments) Regulations 2020.

(2) These Regulations come into force on 6 April 2020.

Amendment of the Care and Support (Charging) (Wales) Regulations 2015

2. The Care and Support (Charging) (Wales) Regulations 2015⁽²⁾ are amended as follows—
- (a) in regulation 7 (maximum weekly charge for non-residential care and support), in paragraph (1) for “£90” substitute “£100”;
 - (b) in regulation 13 (minimum income amount where a person is provided with accommodation in a care home) for “£29.50” substitute “£32”;
 - (c) in regulation 22 (maximum weekly contribution or reimbursement for non-residential care and support) for “£90” substitute “£100”;
 - (d) in regulation 28 (minimum income amount where a person is provided with accommodation in a care home) for “£29.50” substitute “£32”.

(1) 2014 anaw 4.

(2) S.I. 2015/1843(W. 271); as amended by S.I. 2017/214 (W. 58), S.I. 2018/123 (W. 29), and S.I. 2019/234 (W. 53).

Amendment of the Land Registration Rules 2003

3. The Land Registration Rules 2003(3) are amended as follows—

- (a) in Part 8, rule 93(x) (persons regarded as having a sufficient interest to apply for a restriction) for “under the terms of a deferred payment agreement within the meaning of section 68(2)” substitute “section 71”;
- (b) in Schedule 4 (standard forms of restrictions) in the entry relating to Form MM—
 - (i) in paragraph (2) for “under the terms of a deferred payment within the meaning of section 68(2)” substitute “section 71(1) or (5)”;
 - (ii) in the heading for “under the terms of a deferred payment agreement within the meaning of section 68(2)” substitute “section 71”;
 - (iii) in the words before paragraph (1) for “under the terms of a deferred payment agreement within the meaning of section 68(2)” substitute “section 71”.

Julie Morgan
Deputy Minister for Health and Social Services
under the authority of the Minister for Health
and Social Services, one of the Welsh Ministers

10 February 2020

(3) [S.I. 2003/1417](#); as amended by [S.I. 2008/1919](#) and [S.I. 2016/211 \(W. 84\)](#). There are other amending instruments but none are relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Care and Support (Charging) (Wales) Regulations 2015 (“the 2015 Regulations”) and the Land Registration Rules 2003 (“the Rules”).

The 2015 Regulations set out the requirements which local authorities must follow when making a determination of the amount of the charges which apply in relation to care and support, which they are providing or arranging or propose to provide or arrange in the course of carrying out their functions under Part 4 of the Social Services and Well-being (Wales) Act 2014 (“the Act”). The 2015 Regulations also contain parallel provisions setting out requirements which apply where a local authority makes direct payments to meet a person’s need for care and support.

These Regulations amend Part 2 of the 2015 Regulations (charging under Part 5 of the Act) as follows:

- the amount of the maximum weekly charge for non-residential care and support is increased from £90 to £100.
- the weekly minimum income amount where a person is provided with accommodation in a care home is increased from £29.50 to £32.

These Regulations amend Part 4 of the 2015 Regulations (contributions and reimbursements for direct payments) as follows:

- the amount of the maximum weekly contribution or reimbursement for non-residential care and support is increased from £90 to £100.
- the net weekly minimum income amount where a person is provided with accommodation in a care home and receives direct payments under the Act increased from £29.50 to £32.

These Regulations amend the Rules to correct an error made in the Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) (Secondary Legislation) Regulations 2016, and insert the correct provision of the Act in Part 8 and Schedule 4 to the Rules. Part 8 and Schedule 4 deal with restrictions within the meaning of section 40 of the Land Registration Act 2002.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained by contacting the Health and Social Services Group, Welsh Government, Cathays Park, Cardiff CF10 3NQ.