

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Cross Heading: Modifications to section 53 is up to date with all changes known to be in force on or before 05 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F1}SCHEDULE A1

DIRECT PAYMENTS: AFTER-CARE UNDER THE MENTAL HEALTH ACT 1983

Textual Amendments

- F1** Sch. A1 inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(6), 323

Modifications to section 53

- 10 In subsection (1) of section 53—
- (a) in the opening words, for “50, 51 or 52” substitute “ 50 or 51 ” ,
 - (b) omit paragraphs (a), (b) and (c),
 - (c) in paragraph (i), for “a local authority's duty or power to meet a person's needs for care and support or a carer's needs for support is displaced” substitute “ a local authority's duty under section 117 of the Mental Health Act 1983 (after-care) is discharged ” , and
 - (d) in paragraph (k), for “50 to 52” substitute “ 50 and 51 ” .
- 11 Omit subsections (2) to (8) of that section.
- 12 After subsection (8) of that section insert—
- “(8A) Regulations under sections 50 and 51 must specify that direct payments to meet the cost of providing or arranging for the provision of after-care services under section 117 of the Mental Health Act 1983 (after-care) must be made at a rate that the local authority estimates to be equivalent to the reasonable cost of securing the provision of those services to meet those needs.”
- 13 In subsection (9) of that section—
- (a) for “, 51 or 52” substitute “ or 51 ” , and
 - (b) for “care and support (or, in the case of a carer, support)” substitute “ after-care services ” .
- 14 In subsection (10) of that section, for “care and support (or, in the case of a carer, support) to meet needs” substitute “ after-care services ”.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))