
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fifth Commencement Order made under the Health and Social Care Act 2001 (“the Act”) in relation to Wales.

This Order appoints 1st April 2003 as the day on which the following sections of the Act are to come into force in Wales. The provisions allow for changes to the way that local authorities charge for residential accommodation under Part 3 of the National Assistance Act 1948.

Section 53 gives the National Assembly for Wales the power to make regulations to determine what part of a person’s resources are disregarded in determining whether or not they have a need for accommodation.

Section 54 allows the National Assembly for Wales to make regulations permitting additional payments to be made, by or on behalf of a resident, for accommodation whose cost is more than a local authority would usually expect to pay.

Section 55 allows a local authority to enter into an agreement (“a deferred payment agreement”) with a person who needs accommodation to allow that person not to make payments for the accommodation but to accrue a debt which is secured by way of a charge on the person’s home.