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WELSH STATUTORY INSTRUMENTS

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**2018 No. 123 (W. 29)**

**SOCIAL CARE, WALES**

**The Care and Support (Charging)  
(Wales) (Amendment) Regulations 2018**

<i>Made</i>	- - - -	<i>30 January 2018</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>2 February 2018</i>
<i>Coming into force</i>	- -	<i>9 April 2018</i>

The Welsh Ministers in exercise of the powers conferred by sections 50, 52, 53(3), 61, 66 and 196(2) of the Social Services and Well-being (Wales) Act 2014<sup>(1)</sup>, make the following Regulations.

**Title, commencement and application**

1.—(1) The title of these Regulations is the Care and Support (Charging) (Wales) (Amendment) Regulations 2018.

- (2) These Regulations come into force on 9 April 2018.
- (3) These Regulations apply in relation to Wales.

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

2. The Care and Support (Charging) (Wales) Regulations 2015<sup>(2)</sup> are amended as follows—
- (a) in regulation 7 (maximum weekly charge for non-residential care and support), in paragraph (1), for “£70” substitute “£80”;
  - (b) in regulation 11 (relevant capital limit), in paragraph (2)(a), for “£30,000” substitute “£40,000”;
  - (c) in regulation 13 (minimum income amount where a person is provided with accommodation in a care home) for “£27.50” substitute “£28.50”;
  - (d) in regulation 22 (maximum weekly contribution or reimbursement for non-residential care and support), in paragraph (1), for “£70” substitute “£80”; and
  - (e) in regulation 28 (minimum income amount where a person is provided with accommodation in a care home) for “£27.50” substitute “£28.50”.

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(1) 2014 anaw 4.

(2) S.I. 2015/1843 (W. 271), as amended by S.I. 2017/214 (W. 58).

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**Status:** This is the original version (as it was originally made).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

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30 January 2018

*Huw Irranca-Davies*  
Minister for Children and Social Care, under  
authority of the Cabinet Secretary for Health and  
Social Services, one of the Welsh Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Care and Support (Charging) (Wales) Regulations 2015 (“the 2015 Regulations”).

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 £70 to £80,
- the relevant capital limit for residential care is increased from £30,000 to £40,000,
- the weekly minimum income amount where a person is provided with accommodation in a care home is increased from £27.50 to £28.50.

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 £70 to £80,
- the weekly minimum income amount where a person is provided with accommodation in a care home and receives direct payments under the Act is increased from £27.50 to £28.50.

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 from the Health and Social Services Group, Welsh Government, Cathays Park, Cardiff CF10 3NQ.