STATUTORY INSTRUMENTS

2017 No. 1318

SOCIAL CARE, ENGLAND

The Care and Support (Deferred Payment) (Amendment) Regulations 2017

Made - - - -	*20th December 2017*
Laid before Parliament	*21st December 2017*
Coming into force - -	*5th February 2018*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 34(1) and 125(2) and (7) of the Care Act 2014(**1**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Care and Support (Deferred Payment) (Amendment) Regulations 2017 and come into force on 5th February 2018

(2) In these Regulations, "the Principal Regulations" means the Care and Support (Deferred Payment) Regulations 2014(**2**).

Amendment of regulation 2(2)

2. Paragraph (2)(a) of regulation 2 of the Principal Regulations is amended as follows—

(a) for "and" at the end of sub-paragraph (ii) there shall be substituted "or"; and

(b) after sub-paragraph (ii) there shall be inserted—

"(iii) are not being or going to be met by the local authority under section 18 and are needs that the local authority considers it would be required to meet under that section by the provision of accommodation in a care home but for the fact that the local authority is satisfied that the adult's financial resources are above the financial limit(**3**); and".

Amendment of regulation 3(1)

3. Paragraph (1)(a) of regulation 3 of the Principal Regulations is amended as follows—

(**1**) 2014 c.23. The powers to make regulations are exercisable by the Secretary of State: *see* section 125(1).
(**2**) S.I. 2014/2671 to which amendments which are not relevant have been made by S.I. 2015/644.
(**3**) *See* section 17(10) of the Care Act 2014 for the definition of "financial limit".