STATUTORY INSTRUMENTS

2015 No. 644

SOCIAL CARE

The Care and Support (Miscellaneous Amendments) Regulations 2015

Made - - - - *10th March 2015*

Laid before Parliament *11th March 2015*

Coming into force in accordance with regulation 1(2)

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 14(5) and (7), 17(11) and (12), 33(1) and (2), 34(1) and (7), 39(1) and (8), 75(7) and 125(7) and (8) of, and paragraphs 1(6) and (7), 2(9) and (10) and 4(5) and (6) of Schedule 1 to, the Care Act 2014(**1**).

In accordance with paragraph 11 of Schedule 1 to the Care Act 2014, the Secretary of State has obtained the consent of the Welsh Ministers, the Scottish Ministers and the Northern Ireland Department(**2**) to the making of these Regulations.

Citation and commencement

1.—(1) These Regulations may be cited as the Care and Support (Miscellaneous Amendments) Regulations 2015.

(2) Subject to paragraph (3), regulations 2 to 6 come into force on the same date as the date that the Regulations they amend come into force and this regulation comes into force on the earliest of those dates.

(3) Regulation 3(a) and (b) comes into force on whichever is the later of 6th April 2015 or the date that the Care and Support (Charging and Assessment of Resources) Regulations 2014(**3**) come into force.

Amendment to the Care and Support (Deferred Payment) Regulations 2014

2. After regulation 6(5) of the Care and Support (Deferred Payment) Regulations 2014(**4**) (adult's contribution) insert—

(**1**) 2014 c.23 ("the Act"). The powers to make regulations are exercisable by the Secretary of State, *see* section 125(1). Pending the commencement of Part 4 of the Social Services and Well-being (Wales) Act 2014 (2014 anaw 4), paragraphs 1, 2 and 4 of Schedule 1 to the Act have effect with the modifications set out in paragraph 14 of that Schedule.
(**2**) *See* paragraph 12(9) of Schedule 1 to the Act as to the meaning of "Northern Ireland Department".
(**3**) S.I. 2014/2672.
(**4**) S.I. 2014/2671.

"(6) But nothing in this regulation requires the local authority to—

(a) defer any amount which is due to it under section 14 or 30(2); or

(b) advance any or all of an instalment or part of an instalment under the loan agreement to the adult,

if, under regulation 5(3) of these Regulations or in accordance with the terms of the agreement, the authority is required to, or is permitted to, cease to defer that amount or cease to advance any or all of the instalment or part of the instalment under the loan agreement.".

Amendments to the Care and Support (Charging and Assessment of Resources) Regulations 2014

3. The Care and Support (Charging and Assessment of Resources) Regulations 2014(**5**) are amended as follows—

(a) in regulation 6 (personal expenses allowance for residents or temporary residents provided with accommodation in a care home), for "£24.40" substitute "£24.90";

(b) in regulation 7 (minimum income guaranteed amount for other adults and carers whose needs are being met otherwise than by the provision of accommodation in a care home)—

(i) in paragraph (1)(b), for "£82.95" substitute "£83.65";

(ii) in paragraph (2)(a), for "£71.70" substitute "£72.40";

(iii) in paragraphs (2)(b) and (3), for "£90.50" substitute "£91.40";

(iv) in paragraph (2)(c), for "£185.45" substitute "£189.00";

(v) in paragraph (4)(a), for "£71.05" substitute "£71.80";

(vi) in paragraph (4)(b), for "£141.55" substitute "£144.30";

(vii) in paragraph (5)(a), for "£39.85" substitute "£40.35";

(viii) in paragraph (5)(b), for "£19.45" substitute "£19.70";

(ix) in paragraph (6)(a), for "£28.35" substitute "£28.75";

(x) in paragraph (6)(b), for "£13.95" substitute "£14.15";

(xi) in paragraph (7), for "£42.75" substitute "£43.25";

(c) in regulation 7, after paragraph (9) insert—

"(10) For the purposes of this regulation, the adult concerned is a single person if the adult neither has a partner nor is a lone parent.";

(d) in paragraph 15 of Part 1 of Schedule 1 (sums to be disregarded in the calculation of income)—

(i) in sub-paragraph (2), for "paragraph 46" substitute "paragraph 45";

(ii) in sub-paragraph (3)(e), for "resident" substitute "adult";

(e) in paragraph 45 of Part 2 of Schedule 1—

(i) in sub-paragraph (a), for "the adult" substitute "a person" and for "the adult's", in each place where it occurs, substitute "the person's";

(ii) in sub-paragraph (b), for "the adult" substitute "the resident" and for "the adult's" substitute "the resident's";

(f) in paragraph 46 of Part 2 of Schedule 1, for "15(2)" substitute "15".

(**5**) S.I. 2014/2672.