



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

Charging and assessing financial resources

14 Power of local authority to charge

- (1) A local authority—
 - (a) may make a charge for meeting needs under sections 18 to 20, and
 - (b) where it is meeting needs because Condition 2 in section 18 or Condition 2 or 4 in section 20 is met, may make a charge (in addition to the charge it makes under paragraph (a)) for putting in place the arrangements for meeting those needs.
- (2) The power to make a charge under subsection (1) for meeting needs under section 18 is subject to section 15.
- (3) The power to make a charge under subsection (1) for meeting a carer's needs for support under section 20 by providing care and support to the adult needing care may not be exercised so as to charge the carer.
- (4) A charge under subsection (1)(a) may cover only the cost that the local authority incurs in meeting the needs to which the charge applies.
- (5) Regulations may make provision about the exercise of the power to make a charge under subsection (1).
- (6) Regulations may prohibit a local authority from making a charge under subsection (1); and the regulations may (in reliance on section 125(7)) prohibit a local authority from doing so where, for example, the care and support or the support—
 - (a) is of a specified type;
 - (b) is provided in specified circumstances;

Status: This is the original version (as it was originally enacted).

- (c) is provided to an adult of a specified description;
 - (d) is provided for a specified period only.
- (7) A local authority may not make a charge under subsection (1) if the income of the adult concerned would, after deduction of the amount of the charge, fall below such amount as is specified in regulations; and the regulations may in particular (in reliance on section 125(7)) specify—
- (a) different amounts for different descriptions of care and support;
 - (b) different amounts for different descriptions of support.
- (8) Regulations under subsection (7) may make provision as to cases or circumstances in which an adult is to be treated as having income that would, or as having income that would not, fall below the amount specified in the regulations if a charge were to be made.