



Regulation of Care (Scotland) Act 2001

2001 asp 8

REGULATION OF CARE (SCOTLAND) ACT 2001

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- 1 Constitution of Scottish Commission for the Regulation of Care

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- 3 Power to amend the definition of "care service"
- 4 Information and advice

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- 5 National care standards

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- 6 Complaints about care services

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- 9 Grant or refusal of registration under Part 1

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- 10 Improvement notices
- 11 Special provision for certain care services provided by local authorities

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- 12 Cancellation of registration

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- 16 Right to make representations to Commission as respects proposals under Part 1
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- 30 Transfer of staff

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- 53 Codes of practice

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SCHEDULE 1 — THE SCOTTISH COMMISSION FOR THE REGULATION OF CARE

- 1 *Status*
- 2 *Membership*
- 3 In making appointments under paragraph 2 above, the Scottish Ministers...
- 4 In making appointments under paragraph 2 above, the Scottish Ministers...
- 5 In paragraph 4 above, “requisite number” means at least two...
- 6 *General powers*
- 7 *Regulations as to appointments, procedure etc.*
- 8 *Staff*
- 9 *Accounts*
- 10 *Reports*

SCHEDULE 2 — THE SCOTTISH SOCIAL SERVICES COUNCIL

- 1 *Status*
- 2 *Membership*
- 3 In making appointments under paragraph 2 above, the Scottish Ministers...
- 4 In making appointments under paragraph 2 above, the Scottish Ministers...
- 5 In paragraph 4 above, “requisite number” means at least two...
- 6 *General powers*
- 7 *Regulations as to appointments, procedure etc.*
- 8 *Staff*
- 9 *Accounts*
- 10 *Reports*

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- 1 *Human Tissue Act 1961 (c.54)*
- 2 *Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c.49)*
- 3 *Sewerage (Scotland) Act 1968 (c.47)*
- 4 *Social Work (Scotland) Act 1968 (c.49)*
- 5 *Medicines Act 1968 (c.67)*
- 6 *Employment Agencies Act 1973 (c.35)*
- 7 *Adoption (Scotland) Act 1978 (c.28)*
- 8 *Water (Scotland) Act 1980 (c.45)*
- 9 *Administration of Justice Act 1982 (c.53)*
- 10 *Anatomy Act 1984 (c.14)*
- 11 *Mental Health (Scotland) Act 1984 (c.36)*
- 12 *Foster Children (Scotland) Act 1984 (c.56)*
- 13 *Disabled Persons (Services, Consultation and Representation) Act 1986 (c.33)*
- 14 *Income and Corporation Taxes Act 1988 (c.1)*
- 15 *Children Act 1989 (c.41)*
- 16 *Opticians Act 1989 (c.44)*
- 17 *Environmental Protection Act 1990 (c.43)*
- 18 *Local Government Finance Act 1992 (c.14)*
- 19 *Children (Scotland) Act 1995 (c.36)*
- 20 *Criminal Procedure (Scotland) Act 1995 (c.46)*

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- 21 *Police Act 1997 (c.50)*
- 22 *Adoption (Intercountry Aspects) Act 1999 (c.18)*
- 23 *Adults with Incapacity (Scotland) Act 2000 (asp 4)*
- 24
- 25 *Sexual Offences (Amendment) Act 2000 (c.44)*

SCHEDULE 4 — REPEALS

Changes to legislation:

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Changes and effects yet to be applied to :

- Pt. 1 amendment to earlier affecting provision SI 2003/587 art. 2(2) by S.S.I. 2004/293 art. 2
- Pt. 1 extended by S.S.I. 2005/98 art. 2
- Pt. 1 modified by S.S.I. 2003/587 art. 2
- Pt. 1 repealed by 2010 asp 8 Sch. 14 para. 37
- Pt. 1 savings for effects of 2010 asp 8 Sch. 14 para. 37 by S.S.I. 2011/169 art. 2 3
- Pt. 2 repealed by 2010 asp 8 Sch. 14 para. 37
- s. 2(4)-(4B) substituted for s. 2(4) by 2007 asp 14 s. 82(1)
- s. 2(5) text amended by 2005 asp 13 s. 29
- s. 2(5)(b) repealed by 2003 asp 13 Sch. 5 Pt. 1
- s. 2(13) repealed by S.S.I. 2010/21 Sch. para. 6(2)
- s. 16(2) substituted by 2005 asp 13 s. 30(2)
- s. 21(3)(a) text amended by 2007 asp 4 Sch. 2 para. 11(2)
- s. 21(3)(b) and word repealed by 2007 asp 4 Sch. 3
- s. 25(3)(a)(i)-(iv) substituted for 25(3)(a)(i)(ii) by S.S.I. 2009/131 art. 4
- s. 25(5)(a) text amended by S.S.I. 2007/231 art. 2
- s. 25(5)(a)(i)-(iv) substituted for words by S.S.I. 2009/131 art. 5
- s. 25(5)(b) text amended by S.S.I. 2007/231 art. 2
- s. 25(5)(b)(i)-(iv) substituted for words by S.S.I. 2009/131 art. 5
- s. 25(5A)(5B) inserted by 2005 asp 13 s. 31(2)
- s. 25(6)(b) text amended by 2007 asp 4 Sch. 2 para. 11(3)
- s. 25(6)(b) text amended by 2007 asp 4 Sch. 3
- s. 25(6)(b) text amended by S.S.I. 2010/21 Sch. para. 6(3)
- s. 37(2) substituted by 2005 asp 13 s. 30(3)
- s. 44(1)(aa) inserted by S.I. 2007/3101 reg. 257(a)
- s. 44(2)(2A) substituted for s. 44(2) by S.I. 2007/3101 reg. 257(b)
- s. 45(1) text amended by S.I. 2007/3101 reg. 258(a)
- s. 45(1A) inserted by S.I. 2007/3101 reg. 258(b)
- s. 46(1) text amended by S.I. 2007/3101 reg. 259(a)
- s. 46(2) text amended by 2010 asp 8 Sch. 15 para. 2(a)
- s. 46(2)(c) text amended by S.I. 2007/3101 reg. 259(b)
- s. 46(2A)-(2H) inserted by 2010 asp 8 Sch. 15 para. 2(b)
- s. 46(3) repealed by 2010 asp 8 Sch. 15 para. 2(c)
- s. 46(4)-(7) omitted by S.I. 2007/3101 reg. 259(c)
- s. 47(1) text amended by 2010 asp 8 Sch. 15 para. 3(a)
- s. 47(1) text amended by S.I. 2007/3101 reg. 261
- s. 47(2) text amended by 2010 asp 8 Sch. 15 para. 3(b)(i)(ii)
- s. 47(2)(b)(c) added by 2010 asp 8 Sch. 15 para. 3(b)(iii)
- s. 48 heading text amended by 2010 asp 8 Sch. 15 para. 5
- s. 48(1) text amended by 2010 asp 8 Sch. 15 para. 4(a)
- s. 48(2) substituted by 2005 asp 13 s. 30(4)
- s. 48(2)-(4) substituted for s. 48(2) by 2010 asp 8 Sch. 15 para. 4(b)
- s. 49(1)(e) text amended by 2010 asp 8 Sch. 15 para. 6
- s. 50 heading text amended by 2010 asp 8 Sch. 15 para. 8
- s. 50(1) repealed by 2010 asp 8 Sch. 15 para. 7(a)
- s. 50(1) text amended by S.I. 2007/3101 reg. 262
- s. 50(2)(a) repealed by 2010 asp 8 Sch. 15 para. 7(b)
- s. 50(3)(b) repealed by 2010 asp 8 Sch. 15 para. 7(c)
- s. 50(4) text amended by 2010 asp 8 Sch. 15 para. 7(d)(i)(ii)
- s. 50(4)(a) text amended by 2010 asp 8 Sch. 15 para. 7(d)(iii)
- s. 50(5) inserted by 2010 asp 8 Sch. 15 para. 7(e)

- s. 51(A1)-(A5) inserted by 2010 asp 8 Sch. 15 para. 9(a)
- s. 51(1) substituted by S.I. 2007/3101 reg. 263
- s. 51(1) text amended by 2005 asp 13 s. 30(5)
- s. 51(1) text amended by 2010 asp 8 Sch. 15 para. 9(b)
- s. 51(2) text amended by 2010 asp 8 Sch. 15 para. 9(c)(i)(ii)
- s. 51(2)(c) and word inserted by 2010 asp 8 Sch. 15 para. 9(c)(iii)
- s. 53(2)(b) text amended by 2010 asp 8 Sch. 14 para. 3
- s. 53(3A)(3B) inserted by 2010 asp 8 Sch. 15 para. 10(a)
- s. 53(6)(7) inserted by 2010 asp 8 Sch. 15 para. 10(b)
- s. 57(2A) inserted by S.I. 2007/3101 reg. 264
- s. 59(1) text amended by 2010 asp 8 Sch. 14 para. 4(a)
- s. 59(5) inserted by 2010 asp 8 Sch. 14 para. 4(b)
- s. 60(1) text amended by 2010 asp 8 Sch. 14 para. 5(a)
- s. 60(1)(a) text amended by 2010 asp 8 Sch. 14 para. 5(b)
- s. 60(1)(b) text amended by 2010 asp 8 Sch. 14 para. 5(c)
- s. 61(1) text amended by 2010 asp 8 Sch. 14 para. 6(a)
- s. 61(4) text amended by 2010 asp 8 Sch. 14 para. 6(b)
- s. 62 text amended by 2010 asp 8 Sch. 14 para. 7
- s. 63 text amended by 2010 asp 8 Sch. 14 para. 8
- s. 64(1) text amended by 2010 asp 8 Sch. 14 para. 9(a)
- s. 64(2) text amended by 2010 asp 8 Sch. 14 para. 9(b)
- s. 64(2) text amended by 2010 asp 8 Sch. 15 para. 11(a)
- s. 64(3) text amended by 2010 asp 8 Sch. 14 para. 9(c)
- s. 64(3) text amended by 2010 asp 8 Sch. 15 para. 11(b)
- s. 64(4) text amended by 2010 asp 8 Sch. 14 para. 9(d)
- s. 65(1)(a) text amended by 2010 asp 8 Sch. 14 para. 10(a)(i)
- s. 65(1)(b) text amended by 2010 asp 8 Sch. 14 para. 10(a)(ii)
- s. 65(2) text amended by 2010 asp 8 Sch. 14 para. 10(b)
- s. 65(4)(b) repealed by 2010 asp 8 Sch. 14 para. 10(c)
- s. 65(6) text amended by 2010 asp 8 Sch. 14 para. 10(d)(i)
- s. 65(6)(a) repealed by 2010 asp 8 Sch. 14 para. 10(d)(ii)
- s. 65(7) text amended by 2010 asp 8 Sch. 14 para. 10(e)
- s. 65(9)(a) repealed by 2010 asp 8 Sch. 14 para. 10(f)
- s. 77 substituted by S.S.I. 2011/211 Sch. 1 para. 9
- s. 77(1) text amended by 2003 asp 13 Sch. 4 para. 10
- s. 77(1) text amended by 2003 asp 13 Sch. 5 Pt. 1
- s. 77(1) text amended by 2004 asp 7 Sch. 1 para. 3
- s. 77(1) text amended by 2007 asp 14 s. 82(2)
- s. 77(1) text amended by S.S.I. 2005/465 Sch. 1 para. 30(2)
- s. 77(1) text amended by S.I. 2007/3101 reg. 265
- s. 77(1)(a) text amended by 2007 asp 4 Sch. 2 para. 11(4)
- s. 77(2) text amended by 2003 asp 13 Sch. 5 Pt. 1
- s. 78(2)(b) text amended by 2005 asp 13 s. 31(3)
- Sch. 1 repealed by 2010 asp 8 Sch. 14 para. 37
- Sch. 3 para. 11(2)-(7) repealed by 2003 asp 13 Sch. 5 Pt. 1
- Sch. 3 para. 7 repealed by 2007 asp 4 Sch. 3
- Sch. 3 para. 25 repealed by 2009 asp 9 Sch. 6
- Sch. 3 para. 21 repealed by 2005 c. 15 Sch. 17 Pt. 2
- Sch. 3 para. 14(d)(e) repealed by 2010 c. 8 Sch. 10 Pt. 13

Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:

- Blanket amendment text amended by S.I. 2011/1043 art. 3 4
- Blanket amendment text amended by S.I. 2011/1043 art. 3 6

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 46A 46B inserted by S.I. 2007/3101 reg. 260
- s. 57A 57B inserted by 2005 asp 13 s. 32
- specified provision(s) amendment to earlier commencing SSI 2004/100 by S.S.I. 2004/377 art. 2

Commencement Orders yet to be applied to the Regulation of Care (Scotland) Act 2001:

Commencement Orders bringing provisions within this Act into force:

- S.S.I. 2003/205 art. 2 commences (2001 asp 8)
- S.S.I. 2003/596 art. 3 commences (2001 asp 8)
- S.S.I. 2004/100 art. 2 3 commences (2001 asp 8)
- S.S.I. 2005/426 art. 2 commences (2001 asp 8)
- S.S.I. 2006/275 art. 2 commences (2001 asp 8)

Commencement Orders bringing legislation that affects this Act into force:

- S.S.I. 2004/522 art. 2 commences (2003 asp 5)
- S.S.I. 2004/556 art. 2 amendment to earlier commencing SSI 2004/522
- S.S.I. 2005/161 art. 2-4 commences (2003 asp 13)
- S.S.I. 2005/375 art. 2 amendment to earlier commencing SSI 2005/161 art. 3
- S.S.I. 2005/492 art. 3 Sch. 1-3 commences (2005 asp 13)
- S.S.I. 2006/166 art. 2 commences (2005 c. 15)
- S.S.I. 2007/67 art. 2 amendment to earlier commencing SSI 2006/275
- S.S.I. 2007/385 art. 2 Sch. commences (2007 asp 14)
- S.S.I. 2009/267 art. 2 commences (2007 asp 4)
- S.S.I. 2010/221 art. 3 commences (2010 asp 8)
- S.S.I. 2010/321 art. 3 commences (2010 asp 8)
- S.S.I. 2010/357 art. 2 commences (2009 asp 9)
- S.S.I. 2011/122 art. 2 3 commences (2010 asp 8)