

# **REGULATION OF CARE (SCOTLAND) ACT 2001**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on sections*

#### **Part 5: Provisions Common to the Commission and Council**

#### **Grants and guarantees**

##### *Section 60: Grants*

169. This section makes provision for Scottish Ministers to make grants to the Commission and Council in relation to the expenses that they incur. Both bodies will be funded wholly through this route initially, although it is intended that once they assume their functions registration fees paid by care services for the Commission and social services staff for the Council will meet or largely meet the cost of the bodies.

##### *Section 61: Guarantees*

170. [Section 61](#) gives Scottish Ministers the power to guarantee any borrowing of funds which the Commission or Council undertakes. Scottish Ministers will be required to lay details of any such guarantees before Parliament, and also provide the Parliament with an annual statement setting out the sum or sums borrowed, until these have been repaid. It is not expected that this power will be widely used but it is considered that to include it provides flexibility.