



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 6

MISCELLANEOUS

Grants, loans and other payments

68 Grants in respect of activities relating to child care and family support

- (1) The Scottish Ministers may make grants to persons who—
- (a) to any extent, undertake or engage in activities which relate to—
 - (i) the protection or care, under or by virtue of the Social Work (Scotland) Act 1968 (c.49) or the Children (Scotland) Act 1995 (c.36), of children; or
 - (ii) the provision of support, under or by virtue of either of those Acts, to families; or
 - (b) propose to undertake or engage in such activities to any extent.
- (2) The Scottish Ministers may make the payment of a grant in pursuance of subsection (1) above subject to such conditions and requirements (including a requirement that the whole or any part of the grant be repaid) as they think fit.

69 Amendment of Social Work (Scotland) Act 1968: delegation of power to make grants and loans to certain voluntary organisations etc.

In section 10 of the Social Work (Scotland) Act 1968 (c.49) (financial and other assistance to voluntary organisations etc. for social work)—

- (a) after subsection (1) there is inserted—

“(1A) The Scottish Ministers may make grants and loans of such amounts, and subject to such conditions, as they may determine to a voluntary organisation engaged as is mentioned in subsection (1) above to enable that organisation (in this section referred to as the “primary organisation”) to make grants and loans (in this section referred to as “secondary grants and loans”) to other voluntary organisations, or other persons, so engaged, in circumstances where it appears to the primary

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organisation that the secondary grants and loans should be made; and the Scottish Ministers may require that any secondary grant be subject to such conditions (including conditions for securing the repayment in whole or in part of that grant) as they may specify.”;

and

- (b) in subsection (2), for the words “under the foregoing subsection” there is substituted “ by the Scottish Ministers under subsection (1) or (1A) above ”.

70 Amendment of Social Work (Scotland) Act 1968: direct payments to children for care services

In section 12B of the Social Work (Scotland) Act 1968 (c.49) (direct payments in respect of community care services)—

- (a) in subsection (1)(a)—
- (i) the words from “have decided” to “care service” become sub-paragraph (i); and
 - (ii) for the words “within the meaning of section 5A of this Act,” there is substituted the word “ ; or ” and the following sub-paragraph—
 - “(ii) have a duty to provide a service to him under section 22(1) of the Children (Scotland) Act 1995 (c.36) (promotion of welfare of children in need) other than a service which comprises giving assistance in cash;”;

and

- (b) at the end there is added—
- “(7) The definition of “community care service” in section 5A of this Act shall, with the modification mentioned in subsection (8) below, apply for the purposes of this section as that definition applies for the purposes of that section.
 - (8) The modification is that the words “, other than services for children,” in the definition shall be disregarded.”.

71 Amendment of Children Act 1975: maintenance payments to children

In section 50 of the Children Act 1975 (c.72) (which empowers a local authority to make payments for or towards the maintenance of a child under sixteen who is residing with and being cared for, other than as a foster child, by a person other than the parent of the child), for the word “sixteen” there is substituted “ eighteen ”.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2004/100, art. 3(2) 4(b) by [S.S.I. 2004/377 art. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2006/275, art. 3 by [S.S.I. 2007/67 art. 2](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3 4](#)
- Blanket amendment words substituted by [S.I. 2011/1043 art. 3 6](#)

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

- s. 2(4)-(4B) substituted for s. 2(4) by [2007 asp 14 s. 82\(1\)](#)
- s. 2(11)-(12B) substituted for s. 2(11)(12) by [2007 asp 4 s. 7](#)
- s. 25(3)(a)(i)-(iv) substituted for s. 25(3)(a)(i)(ii) by [S.S.I. 2009/131 art. 4](#)
- s. 25(5)(a)(i)-(iv) substituted for words by [S.S.I. 2009/131 art. 5](#)
- 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. 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(1A) inserted by [S.I. 2007/3101 reg. 258\(b\)](#)
- s. 46(2A)-(2H) inserted by [2010 asp 8 sch. 15 para. 2\(b\)](#)
- s. 46A 46B inserted by [S.I. 2007/3101 reg. 260](#)
- s. 46A(2) word substituted by [S.I. 2016/1030 reg. 116\(2\)](#)
- s. 46A(5) word substituted by [S.I. 2016/1030 reg. 116\(3\)\(a\)](#)
- s. 46A(5) word substituted by [S.I. 2016/1030 reg. 116\(3\)\(b\)](#)
- s. 47(2)(a) words in s. 47(2) renumbered as s. 47(2)(a) by [2010 asp 8 sch. 15 para. 3\(b\)\(i\)](#)
- s. 47(2)(b) (c) added by [2010 asp 8 sch. 15 para. 3\(b\)\(iii\)](#)
- s. 48(2)-(4) substituted for s. 48(2) by [2010 asp 8 sch. 15 para. 4\(b\)](#)
- s. 50(5) added 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)(a) word omitted by [S.I. 2016/1030 reg. 117\(2\)](#)
- s. 51(1)(b) word inserted by [S.I. 2016/1030 reg. 117\(3\)](#)
- s. 51(1)(c) inserted by [S.I. 2016/1030 reg. 117\(4\)](#)
- s. 51(2)(c) and word inserted by [2010 asp 8 sch. 15 para. 9\(c\)\(iii\)](#)
- 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. 57A 57B and cross-heading inserted by [2005 asp 13 s. 32](#)
- s. 59(5) inserted by [2010 asp 8 sch. 14 para. 4\(b\)](#)
- Sch. 3 para. 22(b)(c) coming into force by [S.S.I. 2004/100 art. 2\(e\)](#)
- Sch. 3 para. 14(d)(e) repealed by [2010 c. 8 Sch. 10 Pt. 13](#)

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

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2004/522 art. 2](#) commences (2003 asp 5)
- [S.S.I. 2005/161 art. 2-4](#) commences (2003 asp 13)

- 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. 2007/385 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 Sch. commences (2010 asp 8)
- S.S.I. 2010/321 art. 3 Sch. commences (2010 asp 8)
- S.S.I. 2010/357 art. 2 commences (2009 asp 9)
- S.S.I. 2011/122 art. 2 Sch. commences (2010 asp 8)
- S.S.I. 2011/157 art. 2(a) commences (2007 asp 14)