

SCHEDULE 3 MINOR AND CONSEQUENTIAL AMENDMENTS

Children (Scotland) Act 1995 (c. 36)

- 19 (1) The Children (Scotland) Act 1995 is amended as follows.
- (2) In section 36(3) (persons who must notify local authority where child provided with residential accommodation)—
- (a) sub-paragraph (ii), and the word “or” immediately preceding that sub-paragraph, are repealed; and
 - (b) after paragraph (c) there is added—
 - “; and
 - (d) any person providing a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)).”.
- (3) In section 38(1)(b) (short-term refuges for children at risk of harm)—
- (a) for the words from “carries on” to “that Act)” there is substituted “provides a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8))”;
 - (b) for the words “that establishment” there is substituted “the accommodaton in question”; and
 - (c) for the word “establishment”, where it occurs for the third, fourth, fifth and sixth times, there is in each case substituted “accommodation”.
- (4) In section 93(1) (interpretation of Part II of that Act), in the definition of “secure accommodation”—
- (a) after the word “approved” there is inserted “by the Scottish Ministers in accordance with regulations made under section 29(9)(a) of the Regulation of Care (Scotland) Act 2001 (asp 8) or”; and
 - (b) the words “section 60(1)(bb) of the Social Work (Scotland) Act 1968 or under” are repealed.