



Community Care and Health (Scotland) Act 2002

2002 asp 5

COMMUNITY CARE AND HEALTH (SCOTLAND) ACT 2002

PART 1

COMMUNITY CARE

Charging and not charging for social care

- 1 Regulations as respects charging and not charging for social care

Accommodation

- 2 Accommodation provided under 1968 Act etc.
- 3 Disregarding of resources when determining whether to make available assistance by providing residential accommodation
- 4 Accommodation more expensive than usually provided
- 5 Local authority arrangements for residential accommodation outwith Scotland
- 6 Deferred payment of accommodation costs

Direct payments

- 7 Direct payments

Carers

- 8 Amendment of 1968 Act: matters to be taken account of in assessment of needs
- 9 Amendment of 1968 Act: assessment of ability to provide care etc.
- 10 Amendment of 1995 Act: matters to be taken into account in assessment of needs of child affected by disability
- 11 Amendment of 1995 Act: assessment of ability to provide care for disabled child etc.
- 12 Carer information strategies

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Community Care and Health (Scotland) Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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- 14 Payments by local authorities towards expenditure by NHS bodies on prescribed functions
- 15 Delegation etc. between local authorities and NHS bodies
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- 18 Services lists and supplementary lists
- 19 Representations against preferential treatment

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- 20 Amendment of Road Traffic Act 1988 and Road Traffic (NHS Charges) Act 1999: payment for treatment of traffic casualties
- 21 Amendment of 1978 Act: schemes for meeting losses and liabilities etc. of certain health bodies

PART 4

GENERAL

- 22 Interpretation
- 23 Regulations
- 24 Transitional provisions etc.
- 25 Minor and consequential amendments and repeals
- 26 Guidance and directions
- 27 Short title and commencement

SCHEDULE 1 — Social care not ordinarily charged for

- 1 As regards the personal hygiene of the person cared for—...
- 2 As regards the person's eating requirements— (a) assisting with the...
- 3 If the person is immobile or substantially immobile, dealing with...
- 4 If the person requires medical treatment, assisting with medication, as...
- 5 With regard to the person's general well-being—

SCHEDULE 2 — Minor and consequential amendments and repeals

- 1 *Social Work (Scotland) Act 1968 (c.49)*
- 2 *National Health Service (Scotland) Act 1978 (c.29)*
- 3 *National Health Service (Primary Care) Act 1997 (c.46)*
- 4 *Health Act 1999 (c.8)*

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 1(1)(a) text amended by S.S.I. 2011/211 Sch. 1 para. 10(a)
- s. 2 text amended by 2003 asp 13 s. 28(2)(a)
- s. 2 text amended by 2007 asp 10 s. 65(2)
- s. 4(1) text amended by 2003 asp 13 Sch. 4 para. 12(2)
- s. 4(1)(b) text amended by 2007 asp 10 s. 62(3)
- s. 6(1)(a) text amended by 2003 asp 13 Sch. 4 para. 12(3)
- s. 12(5) text amended by S.S.I. 2011/211 Sch. 1 para. 10(b)
- s. 18 repealed by 2004 asp 1 Sch. para. 3(2)
- s. 19 omitted by S.S.I. 2004/167 Sch. para. 6(a)
- s. 20(3) repealed by 2003 c. 43 Sch. 14 Pt. 3
- s. 22(1) text amended by 2003 asp 13 s. 28(2)(b)
- s. 22(1) text amended by 2004 asp 7 Sch. 2
- s. 22(1) text amended by S.S.I. 2011/211 Sch. 2 para. 6(a)
- s. 22(1)(e) and word inserted by S.S.I. 2011/211 Sch. 2 para. 6(b)
- Sch. 1 para. 2 substituted by S.S.I. 2009/137 art. 2
- Sch. 2 para. 2(4)(a) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(4)(b)(i) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(4)(b)(ii) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(5)(b) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(6)(a) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(6)(b) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(9)(c) omitted by S.S.I. 2004/167 Sch. para. 6(b)
- Sch. 2 para. 2(3) repealed by 2004 asp 1 Sch. para. 3(3)(a)
- Sch. 2 para. 2(6)(c) repealed by 2005 asp 13 Sch. 3
- Sch. 2 para. 2(7)(8) repealed by 2005 asp 13 Sch. 3
- Sch. 2 para. 2(9)(b) repealed by 2005 asp 13 Sch. 3
- Sch. 2 para. 2(10)(b) repealed by 2005 asp 13 Sch. 3
- Sch. 2 para. 2(11) repealed by 2005 asp 13 Sch. 3
- Sch. 2 para. 2(12) repealed in part by 2004 asp 1 Sch. para. 3(3)(b)

Commencement Orders yet to be applied to the Community Care and Health (Scotland) Act 2002:

Commencement Orders bringing provisions within this Act into force:

- S.S.I. 2003/62 art. 2 commences (2002 asp 5)
- S.S.I. 2004/33 art. 2 commences (2002 asp 5)

Commencement Orders bringing legislation that affects this Act into force:

- S.S.I. 2004/58 art. 2 Sch. commences (2004 asp 1)
- 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. 2006/121 art. 3 Sch. 1 2 commences ()
- S.S.I. 2007/10 art. 2 commences (2003 c. 43)
- S.S.I. 2007/334 art. 2 Sch. 1 2 commences (2007 asp 10)