



# Smoking, Health and Social Care (Scotland) Act 2005

2005 asp 13

## PART 6

### MISCELLANEOUS

#### *Amendment of Regulation of Care (Scotland) Act 2001*

#### **31 Frequency of inspection of care services under the 2001 Act**

- (1) The 2001 Act is amended as follows.
- (2) In section 25 (inspection of registered care services), after subsection (5) insert—
  - “(5A) The Scottish Ministers may, after consulting the Commission and thereafter such other persons (or groups of persons) as they consider appropriate, by order amend—
    - (a) subsection (3)(a) above by substituting for “twelve months” in either or both sub-paragraphs (i) and (ii) a different period (being a period which is not less than twelve months);
    - (b) subsection (5) above by substituting for “twelve months” in either or both paragraphs (a) and (b) a different period (being a period which is not less than twelve months).
  - (5B) An order under subsection (5A) above may make different provision for different purposes.”.
- (3) In section 78 (orders and regulations), in subsection (2)(b), after the word “3” insert “or 25(5A)”.