
Changes to legislation: Public Services Reform (Scotland) Act 2010, Paragraph 2 is up to date with all changes known to be in force on or before 23 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 15
SCOTTISH SOCIAL SERVICES COUNCIL: MODIFICATIONS
OF REGULATION OF CARE (SCOTLAND) ACT 2001

- 2 In section 46 (grant or refusal of registration under Part 3)—
- (a) in subsection (2), the words from “or”, where it fourth occurs, to the end of the subsection are repealed,
 - (b) after that subsection insert—
 - “(2A) Where an application is granted unconditionally—
 - (a) the Council shall give the applicant notice of its so granting the application; and
 - (b) registration shall take effect immediately on such notice being given.
 - (2B) If the Council is not satisfied as mentioned in subsection (2), it shall—
 - (a) grant the application subject to such conditions as it thinks fit; or
 - (b) refuse the application.
 - (2C) The Council shall give the applicant notice of its decision under subsection (2B), which shall—
 - (a) give the Council's reasons for the decision; and
 - (b) explain the right of appeal conferred by section 51 of this Act.
 - (2D) A decision to refuse the application takes effect immediately on notice to that effect being given.
 - (2E) Notice of a decision to grant the application subject to conditions shall state—
 - (a) the conditions; and
 - (b) that, within fourteen days after service of the notice, the applicant may make written representations to the Council concerning any matter which the applicant wishes to dispute.
 - (2F) Subject to subsections (2G) and (2H), a decision to grant the application subject to conditions takes effect at the end of the fourteen day period mentioned in subsection (2E).
 - (2G) Where—
 - (a) the applicant makes such representations as are mentioned in subsection (2E);
 - (b) the Council, having considered the representations, confirms the decision mentioned in subsection (2F); and
 - (c) no appeal is brought under section 51 of this Act,the decision takes effect on the expiry of the fourteen day period mentioned in subsection (A1) of that section for bringing such an appeal.
 - (2H) Where an appeal against a decision mentioned in subsection (2F) is brought under section 51 of this Act (whether or not such

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representations as are mentioned in subsection (2E) are also made),
the decision takes effect only when the appeal is finally determined
or abandoned.”,

(c) subsection (3) is repealed.

Commencement Information

II Sch. 15 para. 2 in force at 1.8.2010 by [S.S.I. 2010/221](#), art. 3(2), [Sch.](#)

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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. 34](#)

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

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)