

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

- 9 In section 51 (appeal against decision of Council)—
- (a) before subsection (1) insert—
- “(A1) Where—
- (a) a person is given notice under subsection (2C) of section 46 of this Act of a decision to grant an application for registration under this Part subject to conditions;
- (b) the person makes such representations as are mentioned in subsection (2E) of that section; and
- (c) the Council confirms the decision,
- the person may, within fourteen days after such confirmation is given, appeal to the sheriff against the decision.
- (A2) Where—
- (a) a person is given notice under subsection (2C) of section 46 of this Act of a decision to grant an application for registration under this Part subject to conditions; and
- (b) no representations such as are mentioned in subsection (2E) of that section are made,
- the person may, within fourteen days after service of the notice, appeal to the sheriff against the decision.
- (A3) Where a person is given notice under subsection (2C) of section 46 of this Act of a decision to refuse an application for registration under this Part, the person may, within fourteen days after service of the notice, appeal to the sheriff against the decision.
- (A4) Where—
- (a) a person is given notice under section 47(1) of this Act of a decision mentioned in that section;
- (b) the person makes such representations as are mentioned in section 48(1) of this Act; and
- (c) the Council confirms the decision,
- the person may, within fourteen days after such confirmation is given, appeal to the sheriff against the decision.
- (A5) Where—
- (a) a person is given notice under section 47(1) of this Act of a decision mentioned in that section; and
- (b) no representations such as are mentioned in section 48(1) of this Act are made,
- the person may, within fourteen days after service of the notice, appeal to the sheriff against the decision.”,
- (b) in subsection (1), for “that notice is given” substitute “service of the notice”,
- (c) in subsection (2)—
- (i) for “such an appeal” substitute “an appeal under this section”,
- (ii) the “or” immediately following paragraph (a) is repealed,

Status: *This is the original version (as it was originally enacted).*

- (iii) after paragraph (b) insert “, or
- (c) direct that it shall not have effect and make such other order as the sheriff thinks fit”.