



Public Services Reform (Scotland) Act 2010

2010 asp 8

PART 5

SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

CHAPTER 4

LOCAL AUTHORITY ADOPTION AND FOSTERING SERVICES ETC.

87 Right to make representations to SCSWIS under Chapter 4 as respects conditions

- (1) This section applies to—
 - (a) a notice under section 84(1)(b),
 - (b) a local authority condition notice, and
 - (c) a notice under section 86(4).
- (2) The notice must state that, within 14 days after service of the notice, the local authority to which it is given may make written representations to SCSWIS about any matter which the authority wishes to dispute.
- (3) Where the notice has been given, SCSWIS may do the thing proposed only after (whichever first occurs)—
 - (a) if the authority makes representations under subsection (2), it has considered those representations,
 - (b) the authority notifies SCSWIS in writing that such representations will not be made, or
 - (c) the period of 14 days so mentioned elapses without such representations being made and without SCSWIS receiving such notification.
- (4) In the circumstances mentioned in subsection (3)(b) or (c), SCSWIS must do the thing proposed unless it appears to it that it would be inappropriate to do so.

Changes to legislation: Public Services Reform (Scotland) Act 2010, Section 87 is up to date with all changes known to be in force on or before 10 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](#)

Commencement Information

- I1** S. 87 in force at 1.10.2010 for specified purposes by S.S.I. 2010/321, art. 3, Sch.
- I2** S. 87 in force at 1.4.2011 in so far as not already in force by S.S.I. 2011/122, art. 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\(2\)](#)