



# Regulation of Care (Scotland) Act 2001

## 2001 asp 8

### PART 1

#### THE COMMISSION AND CARE SERVICES

##### *Offences*

#### **21 Offences in relation to registration under Part 1**

- (1) Any person who—
  - (a) provides a care service while it is not registered under this Part; or
  - (b) with intent to deceive, pretends that a care service is registered under this Part,shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both.
- (2) Any person who fails to comply with section 9(4) of this Act shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (3) Subsection (1)(a) above does not apply as respects actings which—
  - (a) constitute an offence under section 11 of the Adoption (Scotland) Act 1978 (c. 28); or
  - (b) fall within the exception provided for in subsection (1) of that section.