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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 67**

**RESIDENTIAL AND OTHER ESTABLISHMENTS**

**The Registered Establishments (Fees) (Scotland) Order 2000**

*Made* - - - - *9th March 2000*  
*Coming into force* - - *1st April 2000*

The Scottish Ministers, in exercise of the powers conferred upon them by sections 64A(3), 90(3) and 94(1) of the Social Work (Scotland) Act 1968(1), and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Registered Establishments (Fees) (Scotland) Order 2000 and shall come into force on 1st April 2000.

**Interpretation**

2. In this Order, “the Act” means the Social Work (Scotland) Act 1968.

**Maximum level of fees**

3. The maximum fees which may be imposed by local authorities in respect of the matters specified in section 64A(1) of the Act shall be those listed in column (1) of the table below in relation to the corresponding item (a)-(d) (the fees shown in column (2) are the previous maximums(2)):

<i>Table</i>	<i>(1)</i> <i>new fees</i>	<i>(2)</i> <i>previous fees</i>
(a) (a)	for £1,685	£1,350
	an application for registration	
(b) (b)	for £65 per person	£40 per person
	annual continuation	

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(1) 1968 c. 49; section 64A was inserted by section 6(1) of the Registered Establishments (Scotland) Act 1987 (c. 40); section 94(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which this Order is made; that definition was inserted by the Children and Young Persons Act 1969 (c. 54), Schedule 5, paragraph 64(1), and was relevantly amended by the Registered Establishments (Scotland) Act 1987, section 6(2). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) The Registered Establishments (Fees) (Scotland) Order 1995 (S.I. 1995/749), which is revoked by this Order.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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<i>Table</i>	<i>(1) new fees</i>	<i>(2) previous fees</i>
of registration, a fee determined by reference to the maximum number of persons specified in the certificate of registration		
(c) (c) for an application by the person registered for variation of conditions of registration	£373	£318
(d) (d) for issuing a new certificate of registration following a change in information	£18	£15

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#### **Times at which fees are to be charged**

4. The fees referred to in article 3 above shall be payable at the following times:
- (a) for an application for registration, on application for registration;
  - (b) for annual continuation of a registration—
    - (i) in respect of establishments registered after 17th October 1988 (the date of the coming into force of section 64A of the Act<sup>(3)</sup>), on the anniversary of first registration and annually thereafter, and
    - (ii) in respect of establishments already registered prior to 17th October 1988, on 17th October in each year;
  - (c) for an application by the person registered for variation of conditions, on application for the variation; and
  - (d) for issuing a new certificate of registration following a change in information, on the issue of the certificate.

#### **Revocation**

5. The Registered Establishments (Fees) (Scotland) Order 1995<sup>(4)</sup> is hereby revoked.

St Andrew's House, Edinburgh  
9th March 2000

*IAIN GRAY*  
Authorised to sign by the Scottish Ministers

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<sup>(3)</sup> Commencement Order dated 26th September 1988.

<sup>(4)</sup> S.I. 1995/749.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes the Registered Establishments (Fees) (Scotland) Order 1995 (S.I. [1995/749](#)) and re-enacts its provisions with amendments.

The amendments increase by approximately 17-25% as from 1st April 2000 the maximum levels for the fees chargeable by local authorities to applicants for registration, variation of conditions of registration, and for issuing a new certificate of registration under Part IV of the Social Work (Scotland) Act 1968 (“the 1968 Act”).

The maximum level of fee chargeable by local authorities for the annual continuation of registration under Part IV of the 1968 Act has been increased to the same level as the annual continuation fee for nursing homes. The provisions as to times at which fees are to be charged are re-enacted without amendment.