

2001 No. 215

PUBLIC HEALTH

**The Nursing Homes Registration (Scotland) Amendment
Regulations 2001**

Made 28th June 2001

Laid before the Scottish Parliament 29th June 2001

Coming into force 1st August 2001

The Scottish Ministers, in exercise of the powers conferred by sections 1A and 4 of the Nursing Homes Registration (Scotland) Act 1938(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Nursing Homes Registration (Scotland) Amendment Regulations 2001 and shall come into force on 1st August 2001.

Amendment of Schedule 2 to the Nursing Homes Registration (Scotland) Regulations 1990

2. For Schedule 2 to the Nursing Homes Registration (Scotland) Regulations 1990(b) there shall be substituted the following:—

(a) 1938 c.73; section 1A was inserted by the Registered Establishments (Scotland) Act 1987 (c.40), section 6(3); section 4 was amended by the National Health Service (Scotland) Act 1972 (c.58), Schedule 6, paragraph 73 (as saved by the National Health Service (Scotland) Act 1978 (c.29), Schedule 15, paragraph 10), the Health Service Act 1980 (c.53), Schedule 4, paragraph 10, the Children (Scotland) Act 1995 (c.36), Schedule 5 and S.I. 1996/2203. See also section 10 for definition of “Department” (section 10 was amended by the Reorganisation of Offices (Scotland) Act 1939 (c.20), section 1(1) and (6)(b)). 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).

(b) S.I. 1990/1310, amended by S.I. 1991/1320, 1992/1443 and 1998/661 (which is revoked by these Regulations).

“SCHEDULE 2

<i>Column 1</i> <i>Matters in respect of which fee is payable</i>	<i>Column 2</i> <i>Prescribed fee from 1st July 2001</i>
1. Application for registration.	£1,854
2. Annual continuation of registration (payable on registration date and annual anniversary of the registration date thereafter).	£75 per patient bed
3. Application under section 1(3F) of the Act for a variation in any condition of registration such as is mentioned in section 1(3D) or (3E) of the Act and specified in the certificate of registration.	£410
4. The issuing under section 1(3) of the Act of a new certificate following any variation, made as a result of an application under section 1(3F) of the Act, in the conditions under section 1(3D) or (3E) of the Act subject to which the registration has been granted.	£60

Revocation

3. The Nursing Homes Registration (Scotland) Amendment Regulations 1998(a) are hereby revoked.

MALCOLM CHISHOLM
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
28th June 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Nursing Homes Registration (Scotland) Regulations 1990, which make provision for the registration in respect of nursing homes under the Nursing Homes Registration (Scotland) Act 1938.

These Regulations increase the prescribed fee which a Health Board may impose in respect of applications for registration and for continuation of registration and related procedures. (The fees currently prescribed are £1,295, £65, £325 and £55).

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