

## 2001 No. 253

### RESIDENTIAL AND OTHER ESTABLISHMENTS

#### The Registered Establishments (Fees) (Scotland) Order 2001

*Made*

*28th June 2001*

*Coming into force*

*1st August 2001*

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(a) 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 2001 and shall come into force on 1st August 2001.

#### 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(b)):

<i>Table</i>	(1) <i>new fees</i>	(2) <i>previous fees</i>
(a) for an application for registration	£1,854	£1,685
(b) for annual continuation of registration, a fee determined by reference to the maximum number of persons specified in the certificate of registration	£75 per person	£65 per person
(c) for an application by the person registered for variation of conditions of registration	£410	£373
(d) for issuing a new certificate of registration following a change in information	£60	£18

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(a) 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).

(b) The Registered Establishments (Fees) (Scotland) Order 2000 (S.S.I. 2000/67), which is revoked by this Order.

#### **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 on or after 17th October 1988 (the date of the coming into force of section 64A of the Act<sup>(a)</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 2000<sup>(b)</sup> is hereby revoked.

*MALCOLM CHISHOLM*  
Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
28th June 2001

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(a) Commencement Order dated 26th September 1988.  
(b) S.S.I. 2000/67.

## **EXPLANATORY NOTE**

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

This Order revokes the Registered Establishments (Fees) (Scotland) Order 2000 (S.S.I. 2000/67) and re-enacts its provisions with amendments (article 5).

The amendments increase as from 1st August 2001 the maximum levels for the fees chargeable by local authorities to applicants for registration and its annual continuation, variation of conditions of registration, and for issuing a new certificate of registration under Part IV of the Social Work (Scotland) Act 1968 (article 3).

Article 4 provides for the times at which fees are to be charged.

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The Registered Establishments (Fees) (Scotland) Order 2001

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