
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 162

**The Regulation of Care (Scotland) Act 2001 (Commencement
No. 2 and Transitional Provisions) Order 2002**

Proposals under the 1951 Act

10.—(1) This article applies where—

- (a) a person provides a nurse agency to which article 4(5) applies;
- (b) the Health Board from which the person immediately before the commencement date held a licence under section 28 of the 1951 Act has before that date proposed to revoke that licence; and
- (c) before that date either—
 - (i) the person has appealed to the sheriff as provided for in section 28(4) of the 1951 Act but that appeal has not been determined; or
 - (ii) the period of 21 days referred to in that subsection has not expired.

(2) Where this article applies—

- (a) the 1951 Act shall continue in force for the purpose of determining whether the licence is to be revoked; and
- (b) where the licence is so revoked, registration of the nurse agency under the Act by virtue of this Order shall cease to have effect.