

2002 No. 233

SOCIAL CARE

**The Community Care and Health (Scotland) Act 2002
(Consequential Amendment) Order 2002**

Made 15th May 2002

Laid before the Scottish Parliament 16th May 2002

Coming into force 7th June 2002

The Scottish Ministers, in exercise of the powers conferred by section 24 of the Community Care and Health (Scotland) Act 2002^(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 Community Care and Health (Scotland) Act 2002 (Consequential Amendment) Order 2002 and shall come into force on 7th June 2002.

Consequential amendment of section 1(7) of the Community Care and Health (Scotland) Act 2002

2. In section 1(7) of the Community Care and Health (Scotland) Act 2002 for “section” where it last occurs there is substituted “subsection”.

St. Andrew’s House,
Edinburgh
15th May 2002

FRANK McAVEETY
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes a modification to the Community Care and Health (Scotland) Act 2002 (“the 2002 Act”), which is considered to be necessary in consequence of the Community Care and Health (Scotland) Act 2002 (Commencement No. 1) Order 2002 which commences different subsections of section 1 of the 2002 Act on different days.

Section 1(7) of the 2002 Act enables regulations to be made modifying section 12A(1) and (2) of the Social Work (Scotland) Act 1968 (c.49) in its application to people who, immediately before the date of the coming into force of section 1 of the 2002 Act met certain criteria set out in the subsection (7) of that section. As section 1 of the 2002 Act did not come into force on a single day, an ambiguity arises as to the date referred to in subsection (7) of that section.

This Order therefore amends section 1(7) of the 2002 Act by substituting “subsection” for “section” where it last occurs in order to remove the ambiguity as to the appropriate date to be taken as the coming into force date referred to therein. This is 1st April 2002.

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