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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 152**

**The Regulation of Care (Fees) (Scotland) Order 2003**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Regulation of Care (Fees) (Scotland) Order 2003 and shall come into force on 1st April 2003.

(2) In this Order—

“the Act” means the Regulation of Care (Scotland) Act 2001;

“medium housing support service” means a housing support service which employs more than three whole-time equivalent persons but does not employ more than fifteen whole-time equivalent persons to provide and manage the service;

“other day care of children” means day care of children which is not small day care of children;

“other support service” means a support service which is not a small support service;

“other housing support service” means a housing support service which is neither a small housing support service nor a medium housing support service;

“other child care agency” means a child care agency which is not a small child care agency;

“other limited registration service” means a limited registration service which is not a small limited registration service;

“small day care of children” means day care of children which does not employ more than three whole-time equivalent persons to provide and manage the service;

“small support service” means a support service which does not employ more than three whole-time equivalent persons to provide and manage the service;

“small housing support service” means a housing support service which does not employ more than three whole-time equivalent persons to provide and manage the service;

“small child care agency” means a child care agency which does not employ more than three whole-time equivalent persons to provide and manage the service;

“small limited registration service” means a limited registration service which does not employ more than three whole-time equivalent persons to provide and manage the service; and

where a fee is expressed to be payable “per place”, the total fee payable in respect of a particular care service shall be the sum shown multiplied by the maximum number of persons to whom the care service may be provided in accordance with any condition for the time being in force in relation to registration of that care service under the Act.

(3) In this Order, references to employing a person include employing a person who works under a contract of service or a contract for services.