

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Regulation of Care (Scotland) Act 2001 (“the Act”).

Article 3 provides that sections 73(1)(a), 73(2), 73(3) and 73(4) of the Act shall come into force on 5th December 2003, and 73(1)(b) of the Act on 1st April 2004. Section 73(1)(b), which amends section 29 of the Children (Scotland) Act 1995, obliges local authorities to formally assess the needs of persons formerly looked after by them, and to establish representation and complaints procedures for persons provided with after-care under section 29 of the 1995 Act. Section 73(2) empowers Scottish Ministers to make regulations in relation to these areas.