

**2004 No. 108**

**HOUSING**

**The Housing (Scotland) Act 2001 (Payments out of Grants for  
Housing Support Services) Amendment Order 2004**

*Made* - - - - - *9th May 2004*

*Laid before the Scottish Parliament* *10th March 2004*

*Coming into force* - - - *31st March 2004*

The Scottish Ministers, in exercise of the powers conferred by section 91(4) of the Housing (Scotland) Act 2001(a) and all other powers enabling them in that behalf, and after consultation with such bodies representing local authorities and such persons as they think fit in accordance with section 91(7) of that Act, hereby make the following Order:

**Citation and commencement**

1. The Order may be cited as the Housing (Scotland) Act 2001 (Payments out of Grants for Housing Support Services) Amendment Order 2004 and shall come into force on 31st March 2004.

**Amendment to the Housing (Scotland) Act 2001 (Payments out of Grants for Housing Support Services) Order 2003**

2. For paragraph 3 of Part 1 of the Schedule to the Housing (Scotland) Act 2001 (Payments out of Grants for Housing Support Services) Order 2003(b) substitute—

“3. The payee has entered into a contract with the payer for the provision of housing support services by the payee, and, where the service so provided is a care service, the service is registered under the 2001 Act.”.

*MARGARET CURRAN*  
A member of the Scottish Executive

St Andrew's House,  
Edinburgh  
9th March 2004

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(a) 2001 asp 10.  
(b) S.S.I. 2003/140.

## EXPLANATORY NOTE

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

The Order amends the Housing (Scotland) Act 2001 (Payments out of Grants for Housing Support Services) Order 2003 (the 2003 Order) which sets out the conditions on which local authorities may make payments out of grants paid by Scottish Ministers towards expenditure incurred by local authorities in providing or contributing to the provision of prescribed housing support services in terms of section 91 of the Housing (Scotland) Act 2001.

Article 2 replaces the previous paragraph 3 of Part 1 of the Schedule to the 2003 Order.

Paragraph 3 of Part 1 of the Schedule to the 2003 Order provides that on or after 1st April 2004, payment for a prescribed housing support service in terms of the Housing (Scotland) Act 2001 may be made where the Care Commission registers that service as a housing support service in terms of the Regulation of Care (Scotland) Act 2001 (the 2001 Act).

The amending Order provides that payment for a prescribed housing support service may be made where the service is registered as a care service under the 2001 Act. The effect of this is that the service may be registered by the Care Commission either as a housing support service or another type of care service for regulation of care purposes. The Order does not restrict payment for prescribed housing support services where these services are not a type of service that requires to be registered under the 2001 Act.

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