

2014 No. 66

SOCIAL CARE

**The Community Care (Joint Working etc.) (Scotland)
Amendment Regulations 2014**

Made - - - - - *27th February 2014*

Laid before the Scottish Parliament *3rd March 2014*

Coming into force - - - *1st April 2014*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 13(1) and 15(2) of the Community Care and Health (Scotland) Act 2002(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Community Care (Joint Working etc.) (Scotland) Amendment Regulations 2014 and come into force on 1st April 2014.

Amendment of the Community Care (Joint Working etc.) (Scotland) Regulations 2002

2. The Community Care (Joint Working etc.) (Scotland) Regulations 2002(b) are amended as follows.

3. In Schedule 1 (which prescribes local authority functions for the purposes of payments made by an NHS body under section 13(1) of the Community Care and Health (Scotland) Act 2002)—

- (a) in paragraph 1, after “12A” insert “12AZA(c)”; and
- (b) after paragraph 10 insert—

“11. Sections 5, 6, 9, 11, 12, 13, 16 and 19 of the Social Care (Self-directed Support) (Scotland) Act 2013(d).”.

4. In Schedule 5 (which prescribes local authority services for joint working under section 15 of the Community Care and Health (Scotland) Act 2002)—

- (a) in paragraph 1(2)(c), after “12A” insert “12AZA”; and

(a) 2002 asp 5. Section 22(1) defines “prescribed” as meaning prescribed by regulations made by the Scottish Ministers.

(b) S.S.I. 2002/533, amended by S.S.I. 2005/445 and S.S.I. 2012/65.

(c) Section 12AZA of the Social Work (Scotland) Act 1968 (c. 49) was inserted by the Social Care (Self-directed Support) (Scotland) Act 2013 (asp 1), section 17.

(d) 2013 asp 1.

(b) after paragraph 1(2)(l) insert—

“(m)sections 1 to 3, 5 to 13, 16 and 19 of the Social Care (Self-directed Support) (Scotland) Act 2013.”.

St Andrew’s House,
Edinburgh
27th February 2014

MICHAEL MATHESON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Care (Joint Working etc.) (Scotland) Regulations 2002 (“the principal Regulations”), which make provision in relation to various forms of joint working under the Community Care and Health (Scotland) Act 2002 (“the 2002 Act”) between local authorities and NHS bodies.

The Regulations amend Schedule 1 to the principal Regulations to insert certain new functions conferred on local authorities by the Social Care (Self-directed Support) (Scotland) Act 2013 (“the 2013 Act”) into the list of functions in respect of which an NHS body can make payments under section 13 of the 2002 Act.

The Regulations also amend Schedule 5 to the principal Regulations in order to add the new functions conferred by the 2013 Act to the list of functions which a local authority may delegate to an NHS body by arrangements made under section 15(1) of the 2002 Act.

No Business and Regulatory Impact Assessment has been prepared in respect of these Regulations as no direct impact on businesses, charities or the voluntary sector is foreseen.

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