
STATUTORY INSTRUMENTS

1996 No. 3256

**The Residential Establishments – Child
Care (Scotland) Regulations 1996**

**PART I
GENERAL**

Citation and commencement

1. These Regulations may be cited as the Residential Establishments – Child Care (Scotland) Regulations 1996 and shall come into force on 1 April 1997.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Social Work (Scotland) Act 1968;

“the 1995 Act” means the Children (Scotland) Act 1995(1);

“children’s hearing” has the meaning given to that term by section 93(1) of the 1995 Act;

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(2);

“looked after” has in respect of a local authority the meaning given to that term by section 17(6) of the 1995 Act;

“managers” means—

(a) the case of a local authority, those officers having delegated powers under section 56 of the Local Government (Scotland) Act 1973(3) for the management of the residential establishment.

(b) in any other case, those who are responsible for management of the residential establishment;

“person in charge” means the person in charge of a residential establishment who is responsible to the managers of the residential establishment;

“parent” has the meaning given to that term by section 15(1) of the 1995 Act and includes any person who is not a parent of the child but who has parental responsibilities in respect of him;

“parental responsibilities” has the meaning given to that term by section 1(3) of the 1995 Act;

(1) 1995 c. 36.

(2) 1994 c. 39.

(3) 1973 c. 65; section 56 was amended by the Local Government and Planning (Scotland) Act 1982 (c. 43), section 32; the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47), section 28; the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 35; the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 92; and the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 22.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“placement” means the provision of accommodation by a local authority for a child looked after by them by any of the means specified in section 26 of the 1995 Act;

“registering authority” means the local authority with which the person carrying on any residential establishment is registered or is required to be registered for the purposes of section 62 of the Act;

“residential establishment” has the meaning given to that term by section 93(1) of the 1995 Act;

“voluntary organisation” has the meaning given to that term by section 93(1) of the 1995 Act.

(2) In these Regulations any reference to a numbered regulation is to the regulation in these Regulations bearing that number and any reference in a regulation to a numbered paragraph is to the paragraph of that regulation bearing that number.