

REGULATION OF CARE (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Commentary on sections

Part 1: the Commission and Care Services

Constitution of Commission

Section 1: Constitution of Scottish Commission for the Regulation of Care

18. Subsection (1) establishes the Scottish Commission for the Regulation of Care. It will be a statutory body corporate which will exercise the functions given to it by or under the Act or other relevant legislation. Subsection (1)(b) provides that as part of its function, the Commission will be expected to promote improvements in care services in Scotland.
19. The Commission will be a non-departmental public body. It will be independent in its day to day running, but will be accountable to Scottish Ministers through its corporate plan and management statement.
20. Subsection (2) provides that the Commission must, act in accordance with directions given to it by, and under the general guidance of, Scottish Ministers and encourage equal opportunities in exercising its functions under the Act. Subsection (3) gives effect to Schedule 1 which sets out the constitutional arrangements and general provisions for the establishment and operation of the Commission.