

# **REGULATION OF CARE (SCOTLAND) ACT 2001**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on sections*

#### **Part 1: the Commission and Care Services**

#### **Fees**

#### *Section 24: Registration fees*

85. This section sets out the fees which are payable to the Commission. Subsection (1) gives Scottish Ministers power to prescribe maximum levels of fees which may be imposed (following consultation with those who will or may be affected by the fees or their potential effect) and to determine whether or not a fee is payable by order. Subsection (2) sets out the activities for which the Commission is able to impose fees.
86. Subsection (3) gives power to the Commission to have regard to its own expenses in setting particular fees within the maxima set by Scottish Ministers. This subsection also allows the Commission to waive fees, for example in the situation described under section 7 where a person operates more than one care service. Detailed guidance will be issued to the Commission on the circumstances when it may be appropriate to reduce or waive fees.