



# Regulation of Care (Scotland) Act 2001

## 2001 asp 8

### PART 3

#### THE COUNCIL

##### *Functions of the Scottish Ministers*

#### **58 Functions of the Scottish Ministers under this Part**

- (1) The Scottish Ministers shall have the functions of—
  - (a) ascertaining what numbers of—
    - (i) social workers; and
    - (ii) social service workers of other descriptions, are required within Scotland;
  - (b) ascertaining what education or training is required by persons who are, or wish to become, social service workers;
  - (c) ascertaining what financial and other assistance is required for promoting such training;
  - (d) encouraging the provision of such assistance; and
  - (e) drawing up occupational standards for such workers.
- (2) The Scottish Ministers shall encourage persons to take part—
  - (a) in courses approved under section 54(1) of this Act by the Council; and
  - (b) in other courses relevant to the education or training of persons who are, or wish to become, social service workers.
- (3) The Scottish Ministers may, if it appears to them that adequate provision is not being made for the education or training of persons who are, or wish to become, social service workers, provide, or secure the provision of, courses for that purpose.
- (4) Any function of the Scottish Ministers under this section—
  - (a) may be delegated by them to the Council; or
  - (b) may be exercised by any person, or by employees of any person, authorised to do so by the Scottish Ministers.

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*Status: This is the original version (as it was originally enacted).*

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(5) For the purpose of determining—

- (a) the terms and effect of an authorisation under subsection (4)(b) above; and
- (b) the effect of so much of any contract made between the Scottish Ministers and the authorised person as relates to the exercise of the function,

Part II of the Deregulation and Contracting Out Act 1994 (c. 40) shall have effect as if the authorisation were given by virtue of an order under section 69 of that Act.

(6) In subsection (4)(b) above, “employee” has the same meaning as in the said Part II.