Status: *Point in time view as at 01/04/2006.*
Changes to legislation: *There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, SCHEDULE 3. (See end of Document for details)*

SCHEDULE 3

(introduced by section 79)

MINOR AND CONSEQUENTIAL AMENDMENTS

Human Tissue Act 1961 (c.54)

1 In section 1(7) of the Human Tissue Act 1961 (removal of parts of bodies for medical purposes), after the word "institution" there is inserted " or in accommodation provided by a care home service ("care home service" having the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)) ".

Commencement Information

I1 Sch. 3 para. 1 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c.49)

2 In section 50 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (events occurring in institutions)—

(a) the words "nursing home" are repealed;

(b) after the word "institution", where it first occurs, there is inserted " or of accommodation provided by a care home service ("care home service" having the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)) "; and

(c) after the word "institution", where it occurs for the second and third times, there is in each case inserted " or accommodation ".

Commencement Information

I2 Sch. 3 para. 2 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Sewerage (Scotland) Act 1968 (c.47)

3 In section 59 of the Sewerage (Scotland) Act 1968 (interpretation)—

(a) in subsection (1), in the definition of "trade or industry", for the words—

(i) "and the carrying on of a hospital or a nursing home" there is substituted " , the carrying on of a hospital and the provision of a care home service "; and

(ii) "a nursing home", where they occur for the second time, there is substituted " as accommodation provided by a care home service "; and

(b) after subsection (3) there is inserted—

"(3A) In the definition of "trade or industry" in subsection (1) above, the references to a "care home service" shall be construed in accordance with section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8).".

Commencement Information

I3 Sch. 3 para. 3 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Social Work (Scotland) Act 1968 (c.49)

4 (1) The Social Work (Scotland) Act 1968 is amended as follows.

(2) In section 10(3A) (construction of the expression "voluntary organisation the sole or primary object of which is to promote social welfare"), for the words "an adoption society approved under Part I of the Adoption (Scotland) Act 1978" there is substituted " a person providing, as mentioned in section 2(11)(b) of the Regulation of Care (Scotland) Act 2001 (asp 8), an adoption service registered under Part 1 of that Act ".

(3) In section 13A, for subsection (2) there is substituted—

"(2) The arrangements made by virtue of subsection (1) above shall be made with a voluntary or other organisation or other person, being an organisation or person providing—

(a) an independent health care service which is a private psychiatric hospital; or

(b) a care home service.

(2A) Expressions used in subsection (2) above have the same meanings as in the Regulation of Care (Scotland) Act 2001 (asp 8).".

Commencement Information

I4 Sch. 3 para. 4 partly in force; Sch. 3 para. 4 not in force at Royal Assent see s. 81(2)-(4); Sch. 3 para. 4(1)(3) in force at 1.4.2002 by S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

I5 Sch. 3 para. 4(2) in force at 1.4.2004 by S.S.I. 2004/100, **art. 2(e)** (with arts. 3, 4) (as amended (30.9.2004) by S.S.I. 2004/377, art. 2)

Medicines Act 1968 (c.67)

5 In section 10 of the Medicines Act 1968 (exemptions for pharmacists)—

(a) in subsection (1), after the word "hospital" there is inserted " , a care home service "; and

(b) at the end there is added—

"(9) In subsection (1) of this section, "care home service" has the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8).".

Commencement Information

I6 Sch. 3 para. 5 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Employment Agencies Act 1973 (c.35)

6 In section 13(8)(a) of the Employment Agencies Act 1973 (application of Act to Scotland), for the words from "any agency" to "1951" there is substituted " a nurse agency as defined in section 2(6) of the Regulation of Care (Scotland) Act 2001 (asp 8) ".

Commencement Information

I7 Sch. 3 para. 6 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Adoption (Scotland) Act 1978 (c.28)

7 (1) The Adoption (Scotland) Act 1978 is amended as follows.

(2) In section 1 (establishment of adoption service)—

(a) in each of subsections (1) and (3), for the words "approved adoption societies" there is substituted " registered adoption services ";

(b) in subsection (4), for the words "approved adoption society" there is substituted " registered adoption service "; and

(c) after that subsection, there is inserted—

"(5) In this Act, "registered adoption service" means an adoption service provided as mentioned in section 2(11)(b) of the Regulation of Care (Scotland) Act 2001 (asp 8) and registered under Part 1 of that Act."

(3) Sections 2(f) (local authorities' social service functions), 3 (approval of adoption societies), 4 (withdrawal of approval) and 5 (procedure on refusal to approve, or withdrawal of approval from, adoption societies) are repealed.

(4) In section 9 (regulation of adoption agencies)—

(a) subsection (1) is repealed;

(b) in subsection (2)—

(i) for the words "an approved adoption society" there is substituted " a registered adoption service "; and

(ii) the words from "including," to the end are repealed; and

(c) in subsection (4), for the words "subsection (2)" there is substituted " this section ".

(5) In section 11 (restriction on arranging adoptions and placing of children)—

(a) in subsection (2), for the words "approved under section 3 of this Act" there is substituted " a registered adoption service "; and

(b) in subsection (3)(a), for the words "an approved adoption society" there is substituted " a registered adoption service ".

(6) In section 22A(1) (children subject to supervision requirements), for the words "An approved adoption society" there is substituted " A registered adoption service ".

(7) In section 30 (return of children placed for adoption by adoption agencies)—

(a) in subsection (1)—

(i) for the words "an approved adoption society or" there is substituted " a registered adoption service, an appropriate voluntary organisation

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Changes to legislation: *There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, SCHEDULE 3. (See end of Document for details)*

(as defined by section 1(5) of the Adoption Act 1976 (c.36)) or a ”; and

(ii) in each of paragraphs (a) and (b), for the word “society" there is substituted “ service, organisation ”;

(b) in subsection (3)—

(i) for the words “to an adoption society or local authority by any person, or by such a society or authority to any person, under subsection (1)" there is substituted “ under subsection (1)(a) or (b) ”;

(ii) for the words “such a society or authority" there is substituted “ a registered adoption service, an appropriate voluntary organisation such as is mentioned in that subsection or a local authority ”; and

(iii) for the words “the society" there is substituted “ that service, organisation ”; and

(c) in each of subsections (5) and (7), for the words “adoption society" there is substituted “ service, organisation ”.

(8) In section 45 (adopted children register)—

(a) in subsection (6)(d)—

(i) the words “an adoption society" are repealed;

(ii) for the words from the beginning of sub-paragraph (i) to the end of the subsection there is substituted—

“(i) a registered adoption service, from that service;

(ii) an appropriate voluntary organisation (as defined by section 1(5) of the Adoption Act 1976 (c.36)), from that organisation; or

(iii) an adoption society registered under Article 4 of the Adoption (Northern Ireland) Order 1987, from that society.”;

(b) for paragraph (b) of subsection (6B) there is substituted—

“(b) any registered adoption service, or any voluntary organisation or adoption society mentioned in subsection (6)(d)(ii) or (iii) insofar as (by virtue of section 11(2) of this Act) that organisation or society is acting as an adoption society in Scotland.”;

and

(c) in subsection (7)—

(i) for the words “a local authority, Board or adoption society falling within subsection (6)" there is substituted—

“(a) a local authority or Board; or

(b) a service, organisation or society mentioned in subsection (6)(d)”;

(ii) for the words “or adoption society", where they occur for the second time, there is substituted “ , service, organisation or society ”; and

(iii) for the words “the authority, Board or society" there is substituted “ them or it ”.

(9) In section 51A(1) (adoption allowances schemes), for paragraph (b) there is substituted—

"(b) a registered adoption service,".

(10) In section 60(2) (statutory instrument procedure), the words ", except section 3(1)," are repealed.

(11) In section 65(1) (interpretation)—

(a) the definition of "approved adoption society" is repealed;

(b) in the definition of "place of safety", for the words from "means" to the end there is substituted " has the meaning given by section 93(1) of the Children (Scotland) Act 1995 (c.36) "; and

(c) after the definition of "prescribed" there is inserted—

""registered adoption service" has the meaning given by section 1(5) of this Act;".

Commencement Information

I8 Sch. 3 para. 7(11)(b) in force at 1.4.2002 by S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

I9 Sch. 3 para. 7(1)-(10) in force at 1.4.2004 by S.S.I. 2004/100, **art. 2(e)** (with arts. 3, 4) (as amended (30.9.2004) by S.S.I. 2004/377, art. 2)

I10 Sch. 3 para. 7(11)(a)(c) in force at 1.4.2004 by S.S.I. 2004/100, **art. 2(e)** (with arts. 3, 4) (as amended (30.9.2004) by S.S.I. 2004/377, art. 2)

Water (Scotland) Act 1980 (c.45)

8 In section 50 of the Water (Scotland) Act 1980 (power to require supply by meter)—

(a) in paragraph (b), the words ", nursing home" are repealed; and

(b) after that paragraph, there is inserted—

"(bb) accommodation provided by a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8);".

Commencement Information

I11 Sch. 3 para. 8 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Administration of Justice Act 1982 (c.53)

9 In section 11 of the Administration of Justice Act 1982 (maintenance at public expense taken into account in assessment of damages)—

(a) the words ", nursing home" are repealed;

(b) the words from "a hospital" to "institution" become paragraph (a); and

(c) after that paragraph there is inserted—

"; or

(b) accommodation provided by a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8),".

Commencement Information

I12 Sch. 3 para. 9 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Anatomy Act 1984 (c.14)

10 In section 4(9) of the Anatomy Act 1984 (lawful examination of bodies after death)—

(a) the words “, nursing home" are repealed;

(b) the words from “a hospital" to “institution", where it occurs for the first time, become paragraph (a);

(c) after that paragraph, there is inserted—

“; or

(b) accommodation provided by a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)”; and

(d) after the word “institution", where it occurs for the second time, there is inserted “ or accommodation ”.

Commencement Information

I13 Sch. 3 para. 10 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Mental Health (Scotland) Act 1984 (c.36)

11 (1) The Mental Health (Scotland) Act 1984 is amended as follows.

[F1](2) . . . . . .

[F1](3) . . . . . .

[F1](4) . . . . . .

[F1](5) . . . . . .

[F1](6) . . . . . .

[F1](7) . . . . . .

(8) In section 126 (preservation of amendments), subsection (1)(a) is repealed.

(9) In Schedule 3 (consequential amendments), paragraph 3 is repealed.

Textual Amendments

F1 Sch. 3 para. 11(2)-(7) repealed (5.10.2005) by Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), s. 333(2), **sch. 5 Pt. 1**; S.S.I. 2005/161, art. 3 (as substituted by S.S.I. 2005/375, art. 2 and as amended by S.S.I. 2005/459, art. 2)

Commencement Information

I14 Sch. 3 para. 11 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Foster Children (Scotland) Act 1984 (c.56)

12 (1) The Foster Children (Scotland) Act 1984 is amended as follows.

(2) In section 2(2)(d) (children who are not foster children), for the words from "nursing home" to the end there is substituted " accommodation provided by a care home service registered under Part 1 of the Regulation of Care (Scotland) Act 2001 (asp 8) ".

(3) In section 21(1) (interpretation)—

(a) at the appropriate place there is inserted—

""care home service" has the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8);";

and

(b) in the definition of "place of safety" for the words from "means" to the end there is substituted " has the meaning given by section 93(1) of the Children (Scotland) Act 1995 (c.36) ".

Commencement Information

I15 Sch. 3 para. 12 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Disabled Persons (Services, Consultation and Representation) Act 1986 (c.33)

13 In section 2(5)(d) of the Disabled Persons (Services, Consultation and Representation) Act 1986 (rights of authorised representatives of disabled persons), for the words "an establishment (other than accommodation falling within paragraph (c) above) registered under section 61 of the 1968 Act" there is substituted " provided by a care home service within the meaning of the Regulation of Care (Scotland) Act 2001 (asp 8) ".

Commencement Information

I16 Sch. 3 para. 13 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Income and Corporation Taxes Act 1988 (c.1)

14 In section 155A(6) of the Income and Corporation Taxes Act 1988 (care for children)—

(a) in paragraph (a), the words "section 1 of the Nurseries and Child-Minders Regulation Act 1948 or" are repealed;

(b) the word "or" immediately following that paragraph is repealed;

(c) in paragraph (b), the words "section 71 or" are repealed;

(d) after paragraph (b), there is inserted—

", or

(c) the provision of such care constitutes the provision of a care service (within the meaning of the Registration of Care (Scotland) Act 2001 (asp 8))," ; and

(e) at the end there is added " or the care service is registered under that Act of 2001." ".

Commencement Information

I17 Sch. 3 para. 14 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Children Act 1989 (c.41)

15 (1) The Children Act 1989 is amended as follows.

(2) In section 105 (interpretation)—

(a) in subsection (5A), paragraph (a) is repealed; and

(b) after subsection (5A), there is inserted—

"(5B) References in this Act to acting as a child minder and to a child minder shall be construed, in relation to Scotland, in accordance with section 2(17) of the Regulation of Care (Scotland) Act 2001 (asp 8).".

Commencement Information

I18 Sch. 3 para. 15 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Opticians Act 1989 (c.44)

16 In section 27(5) of the Opticians Act 1989 (sale of optical appliances to medical institutions), after paragraph (c) there is inserted—

"(cc) to any authority or person providing a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)), which includes the provision of medical or surgical treatment;".

Commencement Information

I19 Sch. 3 para. 16 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Environmental Protection Act 1990 (c.43)

17 In section 75(5)(e) of the Environmental Protection Act 1990 (meaning of "household waste"), for the words "nursing home" there is substituted " which are

used to provide a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)) ".

Commencement Information

I20 Sch. 3 para. 17 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Local Government Finance Act 1992 (c.14)

18 In paragraph 8 of Schedule 1 to the Local Government Finance Act 1992 (persons disregarded for purposes of discount)—

(a) in sub-paragraph (1), for heads (a) and (b) there is substituted—

"(a) either—

(i) he has as his sole or main residence a private hospital in Scotland; or

(ii) a care home service provides, in Scotland, accommodation which is his sole or main residence; and

(b) he is receiving care or treatment (or both) in the hospital or in the accommodation so provided.";

(b) in sub-paragraph (2)—

(i) the definitions of "hostel", "nursing home" and "residential care home" are repealed; and

(ii) after the word "paragraph—" there is inserted—

""care home service" has the same meaning as in the Regulation of Care (Scotland) Act 2001 (asp 8); and";

(c) sub-paragraph (3) is repealed; and

(d) in sub-paragraph (4)—

(i) the words "nursing home", are repealed; and

(ii) for the words "residential care home" there is substituted " care home service ".

Commencement Information

I21 Sch. 3 para. 18 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Children (Scotland) Act 1995 (c.36)

19 (1) The Children (Scotland) Act 1995 is amended as follows.

(2) In section 36(3) (persons who must notify local authority where child provided with residential accommodation)—

(a) sub-paragraph (ii), and the word "or" immediately preceding that sub-paragraph, are repealed; and

(b) after paragraph (c) there is added—

"; and

(d) any person providing a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)).".

(3) In section 38(1)(b) (short-term refuges for children at risk of harm)—

(a) for the words from "carries on" to "that Act)" there is substituted " provides a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)) ";

(b) for the words "that establishment" there is substituted " the accommodaton in question "; and

(c) for the word "establishment", where it occurs for the third, fourth, fifth and sixth times, there is in each case substituted " accommodation ".

(4) In section 93(1) (interpretation of Part II of that Act), in the definition of "secure accommodation"—

(a) after the word "approved" there is inserted " by the Scottish Ministers in accordance with regulations made under section 29(9)(a) of the Regulation of Care (Scotland) Act 2001 (asp 8) or "; and

(b) the words "section 60(1)(bb) of the Social Work (Scotland) Act 1968 or under" are repealed.

Commencement Information

I22 Sch. 3 para. 19 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Criminal Procedure (Scotland) Act 1995 (c.46)

20 In section 307(1) of the Criminal Procedure (Scotland) Act 1995 (interpretation), in the definition of "hospital", in paragraph (b), for the words "registered under Part IV" there is substituted " as defined in section 12(2) ".

Police Act 1997 (c.50)

[F2]21 . . . . . .

Textual Amendments

F2 Sch. 3 para. 21 repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 17 Pt. 2**; S.S.I. 2006/166, art. 2(1)(d)

Adoption (Intercountry Aspects) Act 1999 (c.18)

22 In section 2 of the Adoption (Intercountry Aspects) Act 1999 (central authorities and accredited bodies)—

(a) subsection (2) is repealed;

(b) after subsection (2A) there is inserted—

"(2B) A registered adoption service is an accredited body for the purposes of the Convention if, in accordance with the conditions of its registration, the service may provide facilities in respect of Convention adoptions and adoptions effected by Convention adoption orders.";

and

(c) for subsection (6) there is substituted—

"(6) In this section in its application to Scotland, "registered adoption service" means an adoption service provided as mentioned in section 2(11)(b) of the Regulation of Care (Scotland) Act 2001 (asp 8) and registered under Part 1 of that Act; and "registration" shall be construed accordingly.".

Commencement Information

I23 Sch. 3 para. 22(b)(c) in force at 1.4.2004 by S.S.I. 2004/100, **art. 2(e)** (with arts. 3, 4) (as amended (30.9.2004) by S.S.I. 2004/377, art. 2)

Adults with Incapacity (Scotland) Act 2000 (asp 4)

23 (1) The Adults with Incapacity (Scotland) Act 2000 is amended as follows.

(2) In section 35 (application of Part 4)—

(a) in subsection (1), for paragraphs (a) to (g) there is substituted—

"(a) a health service hospital;

(b) an independent hospital or private psychiatric hospital;

(c) a State hospital;

(d) a care home service; and

(e) a limited registration service.";

(b) in subsection (2), for the words "(ca), (cb), (d) or (f)" there is substituted " (d) or (e) ";

(c) in subsection (3)(b), for the words "for registration of an" there is substituted " , under section 7(1) of the Regulation of Care (Scotland) Act 2001 (asp 8), for registration of the service which comprises that "; and

(d) at the end there is added—

"(6) Expressions used in subsection (1) and in the Regulation of Care (Scotland) Act 2001 have the same meanings in that subsection as in that Act.".

(3) In section 40 (supervisory bodies)—

(a) in subsection (1), for the words from the beginning of the subsection to the end of paragraph (c) there is substituted—

"(1) The supervisory body for the purposes of this Part is, in relation to—

(a) a registered establishment, the Scottish Commission for the Regulation of Care; and

(b) an unregistered establishment, the Health Board for the area in which the establishment is situated;";

(b) in each of subsections (2) and (3), for the word “A" there is substituted “ The ”; and

(c) in subsection (4), for the words from “by regulations" to the end there is substituted “ , as respects any authorised establishment, amend subsection (1) by substituting for the supervisory body allotted to that establishment a different supervisory body. ”.

(4) In section 45 (appeal, revocation etc.)—

(a) for the word “a" where it first occurs there is substituted “ the ”;

(b) for paragraphs (a) and (b) there is substituted “ that power to manage ”;

(c) subsection (2) is repealed;

(d) in subsection (3), the words “registration or" are repealed; and

(e) in subsection (6), for the word “a" there is substituted “ the ”.

(5) In section 84 (applications to guardians appointed under Criminal Procedure (Scotland) Act 1995 (c.46)), in subsection (1)(b) of the section prospectively inserted by subsection (2), for the words “60A" there is substituted “ 60B ”.

(6) In schedule 1 (managers of an establishment), for paragraphs (d) to (g) there is substituted—

“(d) in relation to a care service or limited registration service—

(i) the person identified under section 7(2)(b) of the Regulation of Care (Scotland) Act 2001 (asp 8) in the application for registration of the service;

(ii) if the application is made under section 33(1) of that Act, the local authority or any person appointed by the local authority to manage the service; or

(iii) if another person has been identified in pursuance of regulations under section 29(7)(j) of that Act, the other person so identified,

and in paragraph (d) above “care service" and “limited registration service" have the same meanings as in the Regulation of Care (Scotland) Act 2001.”.

(7) In schedule 5 (minor and consequential amendments), in paragraph 26(3)—

(a) for the word “60" there is substituted “ 60A ”;

(b) for the words “60A" there is substituted “ 60B ”; and

(c) after the words “intervention order" there is inserted “ (as defined in section 53(1) of the Adults with Incapacity (Scotland) Act 2000 (asp 4) ”.

Commencement Information

I24 Sch. 3 para. 23 wholly in force at 1.4.2002; Sch. 3 para. 23 not in force at Royal Assent see s. 81(2); Sch. 3 para. 23(7) in force at 1.10.2001 by S.I. 2001/304, **art. 2(1)(d)**; Sch. 3 para. 23(1)-(6) in force at 1.4.2002 by S.S.I. 2002/162, **art. 2(h)**

[F3]24 . . . . . .

Textual Amendments

F3 Sch. 3 para. 24 repealed (3.8.2001) by S.I. 2001/2478, **art. 2**

Sexual Offences (Amendment) Act 2000 (c.44)

25 (1) Section 4 (meaning of "position of trust") of the Sexual Offences (Amendment) Act 2000 is amended as follows.

(2) In subsection (4)—

(a) in paragraph (b), the words "residential care home, nursing home, mental nursing home or" are repealed; and

(b) after that paragraph, there is inserted the following paragraph—

"(bb) provided by a care home service;".

(3) In subsection (9)—

(a) after the definition of "authority", there is inserted—

""care home service" has the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8);";

(b) in the definition of "nursing home", paragraph (b) is repealed; and

(c) in the definition of "residential care home", paragraph (b) is repealed.

Commencement Information

I25 Sch. 3 para. 25 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, **art. 2(h)** (subject to arts. 3-13)

Status:
Point in time view as at 01/04/2006.

Changes to legislation:
There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, SCHEDULE 3.