



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 3

THE COUNCIL

Registration

48 Right to make representations to Council as respects [^{F1}decision under section 47]

(1) A notice under section ^{F2}... 47 of this Act shall state that, within fourteen days after service of the notice, the person to whom it is given may make written representations to the Council concerning any matter which that person wishes to dispute.

[^{F3}(2) Subject to subsections (3) and (4), a decision under section 47 of this Act takes effect at the end of the fourteen day period mentioned in subsection (1).

[^{F4}(2A) But subsections (3) and (4) do not apply in relation to a person registered as a temporary social worker.]

(3) Where—

- (a) the person to whom notice under section 47 was given makes such representations as are mentioned in subsection (1);
- (b) the Council, having considered the representations, confirms the decision mentioned in that section; and
- (c) no appeal is brought under section 51 of this Act,

the decision takes effect on the expiry of the fourteen day period mentioned in subsection (A4) of that section for bringing such an appeal.

(4) Where an appeal against a decision under section 47 is brought under section 51 (whether or not such representations as are mentioned in subsection (1) are also made), the decision takes effect only when the appeal is finally determined or abandoned.]

Status: Point in time view as at 25/03/2020. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 48. (See end of Document for details)

Textual Amendments

- F1** Words in s. 48 heading substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 15 para. 5](#); S.S.I. 2010/221, art. 3(2), sch.
- F2** Words in s. 48(1) repealed (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 15 para. 4\(a\)](#); S.S.I. 2010/221, art. 3(2), sch.
- F3** S. 48(2)-(4) substituted for s. 48(2) (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 15 para. 4\(b\)](#); S.S.I. 2010/221, art. 3(2), sch.
- F4** S. 48(2A) inserted (temp.) (25.3.2020) by virtue of [Coronavirus Act 2020 \(c. 7\)](#), s. 87(1), [Sch. 6 para. 1\(6\)](#) (with [ss. 88-90](#)) (which affecting provision expires (25.3.2022) by virtue of [Coronavirus Act 2020 \(c. 7\)](#), [s. 89](#) (with s. 90))

Commencement Information

- I1** S. 48 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, [art. 2\(e\)](#) (subject to [arts. 3-13](#))

Status:

Point in time view as at 25/03/2020. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 48.