

*These notes relate to the Regulation of Care (Scotland) Act  
2001 (asp 8) which received Royal Assent on 5 July 2001*

# REGULATION OF CARE (SCOTLAND) ACT 2001

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on sections*

#### **Part 6: Miscellaneous**

#### **Grants, loans and other payments**

#### ***Section 70: Amendment of Social Work (Scotland) Act 1968: direct payments to children for care services***

183. The Community Care (Direct Payments) Act 1996 amended the Social Work (Scotland) Act 1968 to insert new sections 12B and 12C and to make a consequential amendment to section 13, with the effect of enabling local authorities responsible for providing (or arranging the provision of) community care services, to make direct payments to persons in respect of their securing the provision of such services. The definition of 'community care services' excludes children's services. The Community Care (Direct Payments) (Scotland) Regulations 1997 and The Community Care (Direct Payments) (Scotland) Amendment Regulations 2000 specify the persons to whom direct payments may be made under the Act.
184. **Section 70** amends the definition of 'community care services' for the purposes of sections 12B and 12C of the 1968 Act so that direct payments can be made to children for services available under section 22(1) of the Children (Scotland) Act 1995. The 1997 Regulations will be further amended to specify that direct payments may only be made to children aged 16 and 17.