



Community Care and Health (Scotland) Act 2002

2002 asp 5

PART 4

GENERAL

22 Interpretation

(1) In this Act—

“the 1948 Act” means the National Assistance Act 1948 (c. 29);

“the 1968 Act” means the Social Work (Scotland) Act 1968 (c. 49);

“the 1978 Act” means the National Health Service (Scotland) Act 1978 (c. 29);

“the 1984 Act” means the Mental Health (Scotland) Act 1984 (c. 36);

“the 1995 Act” means the Children (Scotland) Act 1995 (c. 36);

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39);

“NHS body” means—

(a) a Health Board, constituted by order made under section 2(1)(a) of the 1978 Act;

(b) a Special Health Board, constituted by order made under section 2(1)(b) of that Act;

(c) a National Health Service trust, established by order made under section 12A(1) of that Act; or

(d) the Common Services Agency, constituted by section 10(1) of that Act;

“prescribed” means prescribed by regulations made by the Scottish Ministers; and

“social care” means, subject to subsection (2) below, a service provided—

(a) under the 1968 Act; or

(b) under section 7 (arrangements in relation to persons who are or have been suffering from mental disorder) or 8 (provision of after-care services for such persons) of the 1984 Act,

Status: This is the original version (as it was originally enacted).

to an individual by a local authority or a service the provision of which to an individual, under the 1968 Act or either of those sections, is secured by a local authority.

- (2) In this Act, “social care” does not include a service which (or so much of a service as) consists of the provision of accommodation; but in the definition of the expression in subsection (1) above, the references to a service being provided are to the provision of any other form of assistance (including, without prejudice to that generality, the provision of advice, guidance or a material thing).