



# Public Services Reform (Scotland) Act 2010 2010 asp 8

## PART 5

### SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

#### CHAPTER 3

##### CARE SERVICES

##### *Regulations*

#### 77 Regulations: registers and registration

- (1) Regulations may—
- (a) make provision about the keeping of registers by SCSWIS,
  - (b) make provision about registration under this Chapter or Chapter 4 and in particular about—
    - (i) the making of applications for such registration,
    - (ii) the content of certificates of registration,
    - (iii) categories of applicant who cannot competently make certain applications,
  - (c) require SCSWIS to secure that, on such conditions, in such circumstances and, subject to subsection (2), on payment of such fees as may be specified in regulations, any person is to be afforded access to, and provided with a copy of an entry in or with an extract from, a register kept by SCSWIS,
  - (d) except such part of a register as may be specified in the regulations from any requirement made by virtue of paragraph (c),
  - (e) confer additional functions on SCSWIS in relation to registration under this Part.
- (2) Regulations under paragraph (c) of subsection (1) may specify circumstances in which the fees mentioned in that paragraph are not to be payable; and no fees are in any

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event payable in any case where SCSWIS consider it appropriate to provide the copy or extract in question free of charge.

#### Commencement Information

- I1** S. 77 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)  
**I2** S. 77 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

## 78 Regulations: care services

- (1) Regulations may confer, in relation to care services, additional functions on SCSWIS.
- (2) Regulations may impose, in relation to care services, any requirements which the Scottish Ministers consider appropriate for the purposes of this Part.
- (3) Without prejudice to the generality of subsection (2), regulations may make it an offence to contravene or fail to comply with—
  - (a) any specified provision of the regulations, or
  - (b) a condition of registration for the time being in force.
- (4) A person who commits an offence under the regulations is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) Before the Scottish Ministers make regulations containing provision as mentioned in subsection (1) or (3), they must consult such persons, or groups of persons, as they consider appropriate.

#### Commencement Information

- I3** S. 78 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)  
**I4** S. 78 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)