



Public Services Reform (Scotland) Act 2010

2010 asp 8

PART 5

SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

CHAPTER 3

CARE SERVICES

Proposals and applications in relation to registered care services

70 Applications under Chapter 3 in respect of conditions

- (1) A person providing a service registered under this Chapter may apply to SCSWIS—
 - (a) for the variation or removal of any condition for the time being in force, or for the addition of a condition, in relation to the registration, or
 - (b) for cancellation of the registration.
- (2) But no such application is competent where—
 - (a) SCSWIS has given the person notice under section 71(3) of its proposal to cancel the registration (unless SCSWIS has decided not to take that step), or
 - (b) SCSWIS has given the person notice under section 73(3) of its decision to cancel the registration and—
 - (i) the time within which an appeal may be brought has not expired, or
 - (ii) if an appeal has been brought, that appeal has not been determined.
- (3) An application under subsection (1) must be made in such manner and state such particulars as may be prescribed; and, without prejudice to subsection (1)(b) of section 76, must be accompanied by the fee imposed under subsection (2)(a) or as the case may be (c) of that section.

Changes to legislation: Public Services Reform (Scotland) Act 2010, Section 70 is up to date with all changes known to be in force on or before 10 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (4) If SCSWIS decides to grant an application under subsection (1)(a) it must give the applicant notice of its decision (stating, where applicable, the condition varied, removed or added) and issue a new certificate of registration.

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Commencement Information

- I1** S. 70 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
I2 S. 70 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

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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\(2\)](#)