



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

73 Notice of SCSWIS's decision under Chapter 3

- (1) If SCSWIS decides to grant unconditionally an application made under section 59 or to grant such application subject only to a condition which has been agreed in writing between SCSWIS and the applicant, it must give the applicant notice of its decision.
- (2) A notice under subsection (1) must state the agreed condition.
- (3) If SCSWIS decides to implement a proposal in relation to which it has given a person a condition notice or a notice under section 71, it must give that person notice of the decision.
- (4) A notice under subsection (3) must—
 - (a) explain the right of appeal conferred by section 75, and
 - (b) in the case of a decision to implement a proposal—
 - (i) in relation to which a condition notice has been given, state the condition as varied, the condition which is removed or (as the case may be) the additional condition imposed, or
 - (ii) of which notice has been given under section 71(1), state the condition subject to which the application is granted.

Changes to legislation: Public Services Reform (Scotland) Act 2010, Section 73 is up to date with all changes known to be in force on or before 25 July 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](#)

- (5) Subject to subsection (6), a decision to implement a proposal in relation to which a condition notice has been given or of which notice has been given under section 71(1) or (3) does not take effect—
- (a) if no appeal is brought, until the period of 14 days referred to in section 75(1) has elapsed, and
 - (b) if an appeal is brought, until that appeal is finally determined or is abandoned.
- (6) Where the decision is to implement a proposal of which notice has been given under section 71(1) and the applicant notifies SCSWIS in writing, before the period of 14 days referred to in section 75(1) has elapsed, that there will be no appeal, the decision takes effect on receipt of that notification.

Commencement Information

- I1** S. 73 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
- I2** S. 73 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):

- s. 50(1A)(1B) inserted by [2024 asp 5 s. 28\(2\)\(a\)](#)
- s. 59A inserted by [2024 asp 5 s. 28\(3\)](#)
- s. 78(2A)(2B) inserted by [2024 asp 5 s. 28\(4\)](#)
- s. 78A inserted by [2024 asp 5 s. 27\(2\)](#)
- s. 190(1) words substituted by [2024 asp 5 s. 29\(2\)\(a\)](#)
- s. 190(2)(2A) substituted for s. 190(2) by [2024 asp 5 s. 29\(2\)\(b\)](#)
- sch. 12 para. 6-6B substituted for Sch. 12 para. 6 by [2024 asp 5 s. 27\(4\)](#)