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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2011 No.**

**The Social Care and Social Work Improvement Scotland  
(Requirements for Care Services) Regulations 2011**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Public Services Reform (Scotland) Act 2010;

“SCSWIS” means Social Care and Social Work Improvement Scotland;

“provider” in relation to a care service<sup>(1)</sup> means the person registered to provide that service;

“representative” means any person having legal authority, or the consent of the service user, to act on the service user’s behalf;

“service user” in relation to a care service means any person to whom that service is provided.

(2) In these Regulations, references to employing a person include employing a person whether or not for payment and whether under a contract of service, a contract for services or otherwise than under a contract and allowing a person to work as a volunteer, and references to an employee or to a person being employed are to be construed accordingly.

(3) In the case of a care service which is a child care agency, nurse agency or adult placement service<sup>(2)</sup>, any reference to a person employed includes reference to a person who is introduced to the service user by the provider and associated expressions referring to employment are to be construed accordingly.

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<sup>(1)</sup> Section 47 of the Act defines a care service.

<sup>(2)</sup> “Child care agency”, “nurse agency” and “adult placement service” are defined in paragraphs 5, 4 and 11 respectively of schedule 12 to the Act.