

SCHEDULE

Article 2

Consequential modifications

PART 1

Repeals

<i>Enactment</i>	<i>Extent of repeal</i>
Community Care (Direct Payments) Act 1996(1)	Section 4
Regulation of Care (Scotland) Act 2001(2)	Section 70
Community Care and Health (Scotland) Act 2002(3)	Section 7 and paragraph 1(2) and (3) of schedule 2
Adult Support and Protection (Scotland) Act 2007(4)	Section 63

PART 2

Revocations

<i>Enactment</i>	<i>Extent of revocation</i>
The Community Care (Direct Payments) (Scotland) Regulations 2003(5)	The whole instrument
The Community Care (Direct Payments) (Scotland) Amendment Regulations 2005(6)	The whole instrument
The Community Care (Direct Payments) (Scotland) Amendment Regulations 2007(7)	The whole instrument

PART 3

Amendments

<i>Enactment</i>	<i>Provision in enactment to be amended</i>	<i>Amendment</i>
<i>Primary Legislation</i>		
Protection of Vulnerable Groups (Scotland) Act 2007(8)	Section 94(4), in the definition of “direct payment”	For “means a payment made under section 12B of that Act” substitute “has the same meaning as in section 4(2) of

- (1) 1996 c.30.
 (2) 2001 asp 8.
 (3) 2002 asp 5.
 (4) 2007 asp 10.
 (5) S.S.I. 2003/243, amended by S.S.I. 2005/114, S.S.I. 2005/445, S.S.I. 2007/458, S.S.I. 2008/2828 and S.S.I. 2011/25.
 (6) S.S.I. 2005/114.
 (7) S.S.I. 2007/458.
 (8) 2007 asp 14.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument:
The Social Care (Self-directed Support) (Scotland) Act 2013 (Consequential and Saving Provisions) Order 2014 No. 90

<i>Enactment</i>	<i>Provision in enactment to be amended</i>	<i>Amendment</i>
		the Social Care (Self-directed Support) (Scotland) Act 2013”.
Social Work (Scotland) Act 1968	Section 86(1)(ba)(9)	In paragraph (ba), for the words from “payment” to “service” substitute “direct payment under the Social Care (Self-directed Support) (Scotland) Act 2013 for the purpose of arranging for the provision of support within the meaning of section 5 or 8 of that Act”.
<i>Secondary Legislation</i>		
The Children’s Legal Assistance (Scotland) Regulations 2013(10)	Paragraph 8(b) of Schedule 2	For “under section 12B of the Social Work (Scotland) Act 1968” substitute “as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013”.
The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012(11)	Paragraph 29 of Schedule 4	For “under section 12B of the Social Work (Scotland) Act 1968 (direct payments in respect of community care services)” substitute “as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013”.
The Council Tax Reduction (Scotland) Regulations 2012(12)	Paragraph 57 of Schedule 4	For “under section 12B of the Social Work (Scotland) Act 1968” substitute “as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013”.
	Paragraph 62 of Schedule 5	(i) omit “section 12B of the Social Work (Scotland) Act 1968,”; and
		(ii) after “health care” insert “or as a direct payment as defined in section 4(2) of the Social

(9) Section 86(1)(ba) was inserted by the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 65(1).

(10) S.S.I. 2013/200.

(11) S.S.I. 2012/319, to which there are amendments not relevant to this Order.

(12) S.S.I. 2012/303, to which there are amendments not relevant to this Order.

<i>Enactment</i>	<i>Provision in enactment to be amended</i>	<i>Amendment</i>
		Care (Self-directed Support) (Scotland) Act 2013 (13) ".
The Community Care (Joint Working etc.) (Scotland) Regulations 2002 (14)	Paragraph 1 of Schedule 1, paragraph 1 of Schedule 3 and paragraph 1(2)(c) of Schedule 5	Omit "12B, 12C,".
The Civil Legal Aid (Scotland) Regulations 2002 (15)	Regulation 33(a)(x), paragraph 5(d) of Schedule 2 and paragraph 8(c) of Schedule 3	For "under section 12B of the Social Work (Scotland) Act 1968" substitute "as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013".
The National Assistance (Assessment of Resources) Regulations 1992 (16)	Paragraph 28I(1) of Schedule 3	For "under section 12B (direct payments in respect of community care services) of the Social Work (Scotland) Act 1968" substitute "as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013".
	Paragraph 23(1) of Schedule 4	For "under section 12B of the Social Work (Scotland) Act 1968" substitute "as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013".
The Advice and Assistance (Scotland) Regulations 1996 (17)	Regulation 16(2)(i) and paragraph 5(ba) of Schedule 2	For "under section 12B of the Social Work (Scotland) Act 1968" substitute "as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013".

(13) 2013 asp 1.

(14) S.S.I. 2002/533, to which there are amendments not relevant to this Order.

(15) S.S.I. 2002/494, to which there are amendments not relevant to this Order.

(16) S.I. 1992/2977, amended by S.I. 2003/577; there are other amendments not relevant to this Order.

(17) S.I. 1996/2447, amended by S.I. 1997/726; there are other amendments not relevant to this Order.