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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 293**

**SOCIAL CARE**

**The Regulation of Care (Scotland) Act 2001  
(Transitional Provisions) Amendment Order 2004**

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|--|---------|-----------------------|
| <i>Made</i>                                    | - - - - | <i>14th June 2004</i> |
| <i>Laid before the Scottish<br/>Parliament</i> | - - - - | <i>14th June 2004</i> |
| <i>Coming into force</i>                       | - -     | <i>21st June 2004</i> |

The Scottish Ministers in exercise of the powers conferred by section 80(2) of the Regulation of Care (Scotland) Act 2001<sup>(1)</sup>, and of all other powers enabling them in that behalf, after consulting such persons or groups of persons as they consider appropriate in accordance with section 80(4) of that Act, hereby make the following Order:

**Citation and commencement**

**1.** This Order may be cited as the Regulation of Care (Scotland) Act 2001 (Transitional Provisions) Amendment Order 2004 and shall come into force on 21st June 2004.

**Amendment of transitional provisions**

**2.** In article 2(2) (transitional provisions) of the Regulation of Care (Scotland) Act 2001 (Transitional Provisions and Revocation) Order 2003<sup>(2)</sup>—

- (a) for “22nd June 2004” in each place where it appears, substitute “30th September 2004”; and
- (b) for “22nd December 2004” substitute “31st March 2005”.

St Andrew’s House, Edinburgh  
14th June 2004

*TOM McCABE*  
Authorised to sign by the Scottish Ministers

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(1) 2001 asp 8.  
(2) S.S.I. 2003/587.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the transitional provisions in article 2 of the Regulation of Care (Scotland) Act 2001 (Transitional Provisions and Revocation) Order 2003 ([S.S.I. 2003/587](#)) (“the principal Order”).

Article 2 of the principal Order has the effect that where a person was providing on 22nd December 2003 a support service providing personal care or support to a person within that person’s home, that service is deemed to be registered under Part 1 of the [Regulation of Care \(Scotland\) Act 2001 \(asp 8\)](#). Deemed registration will cease under the principal Order on 22nd June 2004 unless the person providing the service has applied before that date for registration under that Act, in which case it will cease on 22nd December 2004.

This Order amends the references to the dates in Article 2(2) of the principal Order by substituting references to provide that deemed registration will cease on 30th September 2004 unless the person providing the service has applied before that date for registration under that Act, in which case it will cease on 31st March 2005.