SCOTTISH STATUTORY INSTRUMENTS

2005 No. 98

SOCIAL CARE

The Regulation of Care (Scotland) Act 2001 (Transitional Provisions) Order 2005

Made - - - -	*1st March 2005*
Laid before the Scottish Parliament - - - -	*2nd March 2005*
Coming into force - -	*1st April 2005*

The Scottish Ministers in exercise of the powers conferred on them by section 80(2) of the Regulation of Care (Scotland) Act 2001(**1**), after consulting with such persons or groups of persons as they consider appropriate in accordance with that section, hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Regulation of Care (Scotland) Act 2001 (Transitional Provisions) Order 2005 and shall come into force on 1st April 2005.

(2) In this Order "the Act" means the Regulation of Care (Scotland) Act 2001.

Transitional provisions

2.—(1) Where immediately before 1st April 2005 a person was providing a school care accommodation service to which this article applies, and continues to provide that service on that date, the service shall be treated for all purposes as if it had been registered under Part 1 of the Act on that date.

(2) Subject to paragraph (3), the service ceases to be treated as registered by virtue of paragraph (1)–

(a) where the person providing the service has before 31st December 2005 made an application for registration of the service under section 7(1) of the Act (application for registration), on 30th September 2006; or

(b) in any other case, on 31st December 2005.

(3) The service ceases to be treated as registered by virtue of paragraph (1) before 30th September 2006 or 31st December 2005 as mentioned in paragraph 2(a) or (b) on whichever of following first occurs–

(**1**) 2001 asp 8.